

FEDERAL REGISTER

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Part I

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Civil Aeronautics Board
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Consumer and Marketing Service
Customs Bureau
Education Office
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[Docket No. 8083; Amdt. No. 23-7]

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

Small Airplane Type Certification Requirements; Correction

The amendment to § 23.369 of the Federal Aviation Regulations, appearing in the FEDERAL REGISTER issue for Wednesday, August 13, 1969, page 13089, is not correct as it now stands, and that amendment is corrected to read as follows:

25. Section 23.369(a) is amended by striking out the formula " $V=10 \sqrt{W/S} + (\text{m.p.h.})$ " and inserting in place thereof the formula " $V=8.7 \sqrt{W/S} + 8.7$ (knots)".

Issued in Washington, D.C., on October 24, 1969.

J. H. SHAFFER,
Administrator.

[F.R. Doc. 69-12957; Filed, Oct. 29, 1969; 8:48 a.m.]

[Docket No. 9756; Amdt. 39-865]

PART 39—AIRWORTHINESS DIRECTIVES

Avions Marcel Dassault Fan Jet Falcon and Fan Jet Falcon Series D Airplanes Serial Nos. 73 and Subsequent

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD), requiring replacement of unmodified landing gear microswitches with a modified switch was published in 34 F.R. 13423.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received. However, it has been subsequently determined that the compliance time started in the notice was unrealistic and for this reason it has been extended in terms of hours' time in service. This will allow the operator to incorporate this AD into his next routine inspection cycle.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

AVIONS MARCEL DASSAULT. Applies to all Fan Jet Falcon and Fan Jet Falcon Series D Airplanes having serial numbers 73 and subsequent on which the production microswitch has been replaced with a switch that has not been modified.

Compliance is required as indicated, unless already accomplished.

To prevent the ingress of moisture in the landing gear microswitch assembly, within the next 50 hours' time in service after the effective date of this AD, replace the unmodified microswitch with a modified switch in accordance with Avions Marcel Dassault Service Bulletin No. 333 Revision 2, dated March 28, 1969, or later SGAC-approved issue, or an FAA-approved equivalent as follows:

(a) Nose Landing Gear, Telescopic Bar. Replace the switch P/N A1.23802 with modified switch P/N A1.23802 V1 V2.

(b) Nose Landing Gear, Door Actuating Cylinder. Replace the switch P/N A1.23801 with modified switch P/N A1.23801 V1 V2.

(c) Main Landing Gear, Drag Strut Actuator Cylinder. Replace the switch P/N A2.23802 with modified switch P/N A2.23802 V1 V2.

(d) Main Landing Gear, Door Actuating Cylinder. Replace the switch P/N A2.23801 with modified switch P/N A2.23801 V1 V2.

This amendment becomes effective November 26, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1855(c))

Issued in Washington, D.C., on October 23, 1969.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 69-12953; Filed, Oct. 29, 1969; 8:48 a.m.]

[Docket No. 9467; Amdt. 39-858]

PART 39—AIRWORTHINESS DIRECTIVES

Godfrey Cabin Superchargers Type 15, Marks 6, 9, and 14; Correction

The applicability clause and paragraphs (b) and (c) of Amendment 39-858 to Part 39 of the Federal Aviation Regulations appearing in the FEDERAL REGISTER issue for October 4, 1969, page 15467, are not correct as they now stand and should be corrected to read as follows:

GODFREY. Applies to Godfrey Cabin Superchargers Type 15, Marks 6, 9, and 14, installed on, but not necessarily limited to British Aircraft Corp., Viscount Models 744, 745D, and 810; Armstrong Whitworth Argosy AW-650; Fokker P-27, Marks 100 and 300; Fairchild Hiller F-27 and FH-227 all series; Grumman Model G-159 and Nihon YS-11 all series airplanes.

(b) For Armstrong Whitworth Argosy AW-650, Grumman Model G-159, and Nihon YS-11 series airplanes, at the next overhaul

of the supercharger or within the next 1,500 hours' time in service, whichever occurs first, after the effective date of this AD, comply with either paragraph (d) or (e) of this AD.

(c) For Fokker Model F-27, Marks 100 and 300 series airplanes, and Fairchild Hiller Models F-27 and FH-227 series airplanes, at the next overhaul of the supercharger or within the next 1,500 hours' time in service, whichever occurs first, after the effective date of this AD, comply with either paragraph (d) or (f) of this AD.

Issued in Washington, D.C., on October 24, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-12956; Filed, Oct. 29, 1969; 8:48 a.m.]

[Airspace Docket No. 69-WE-22]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway

On September 17, 1969, F.R. Doc. No. 69-11065 was published in the FEDERAL REGISTER (34 F.R. 14461) and amended Part 71 of the Federal Aviation Regulations by designating VOR Federal airway No. 197 from Ontario, Calif.; Pomona, Calif.; Palmdale, Calif.; INT Palmdale 314° and Bakersfield, Calif., 137° radials; Bakersfield. This action is to become effective November 13, 1969.

Subsequent to publication of the document, it was disclosed that the Edwards RAPCON DELTA 3 airspace assigned to Edwards AFB, Calif., would encroach upon the airway to a slight extent. Even though operations in this assigned airspace are conducted in accordance with VFR flight rules, each operation along V-197 will require prior coordination between the Los Angeles ARTC Center and the Edwards AFB RAPCON. A reduction of the airway width to 3 nautical miles on the northeast side from Palmdale to a point 30 miles northwest will alleviate the conflict in airspace jurisdiction and obviate the requirement for prior coordination. Such action is taken herein.

Since this amendment is minor in nature and is one in which members of the public are not particularly interested, notice and public procedure hereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, F.R. Doc. No. 69-11065 (34 F.R. 14461) is amended effective immediately as hereinafter set forth: In V-195 "Bakersfield," is deleted and "Bakersfield, excluding the airspace more than 3 miles northeast of the centerline from Palmdale to 30 miles northwest," is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 27, 1969.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 69-12955; Filed, Oct. 29, 1969;
8:48 a.m.]

[Airspace Docket No. 69-WA-41]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Federal Airway and Reporting Points; Correction

On February 8, 1969, Airspace Docket No. 68-AL-4 was published in the FEDERAL REGISTER (34 F.R. 1894) and amended Parts 71 and 75 of the Federal Aviation Regulations in part by designating Green Federal airway No. 11, designating Anvil INT and the Amchitka, Alaska, RBN as Alaskan low altitude reporting points and Anvil INT as an Alaskan high altitude reporting point. These amendments were effective April 3, 1969.

The Amchitka RBN referred to in these amendments should have been the Kirilof Wharf, Alaska, RBN. Corrective action is taken herein.

Since these amendments are editorial in nature and no substantive change in the regulation is effected, notice and public procedure hereon are unnecessary. However, since it is necessary to allow sufficient time to make the appropriate changes to aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 8, 1970, as hereinafter set forth.

1. Section 71.103 (34 F.R. 1894, 4506) is amended as follows:

a. In G-11 "Amchitka" is deleted and "Kirilof Wharf" is substituted therefor.

2. Section 71.211 (34 F.R. 1894, 4804) is amended as follows:

a. In Anvil INT: "Amchitka" is deleted and "Kirilof Wharf" is substituted therefor.

b. "Amchitka, Alaska, RBN" is deleted and "Kirilof Wharf, Alaska, RBN," is substituted therefor.

3. Section 71.213 (34 F.R. 1894, 4805) is amended as follows:

a. In Anvil INT: "Amchitka" is deleted and "Kirilof Wharf" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 27, 1969.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 69-12958; Filed, Oct. 29, 1969;
8:48 a.m.]

[Airspace Docket No. 69-SO-83]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On October 14, 1969, F.R. Doc. No. 69-12224, effective December 11, 1969, was published in the FEDERAL REGISTER (34 F.R. 15786), amending Part 71 of the Federal Aviation Regulations by altering the Rocky Mount, N.C., transition area.

In the amendment, the geographic coordinate for Rocky Mount-Wilson Airport, as obtained from the Airport Layout Plan, was shown as "lat. 35°51'16" N., long. 77°53'26" W."

Subsequent to publication of the rule, the geographic coordinate (lat. 35°51'15" N., long. 77°53'40" W.) was received from Coast and Geodetic Survey. Accordingly, it is necessary to amend the F.R. document to reflect this change.

In consideration of the foregoing, notice and public procedure hereon are unnecessary and F.R. Doc. No. 69-12224 is amended, effective immediately, as hereinafter set forth.

In lines 9 and 10 of the Rocky Mount, N.C., transition area description " * * * (lat. 35°51'16" N., long. 77°53'26" W.) * * * " is deleted and " * * * (lat. 35°51'15" N., long. 77°53'40" W.) * * * " is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on October 22, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-12959; Filed, Oct. 29, 1969;
8:48 a.m.]

[Airspace Docket No. 69-CE-68]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition

On page 13425 of the FEDERAL REGISTER dated August 20, 1969, the Federal Aviation Administration published a notice of proposed rule making which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Muncie, Ind.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendments.

No objections have been received and the amendments as so proposed are hereby adopted, subject to the following change: The Delaware County-Johnson Field latitude coordinate recited in the Muncie, Ind., transition area designation as "latitude 40°14'25" N." is changed to read "latitude 40°14'30" N."

This amendment shall be effective 0901 G.m.t., January 8, 1970.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on October 15, 1969.

ROBERT I. GALE,
Acting Director, Central Region.

(1) In § 71.171 (34 F.R. 4557), the following control zone is amended to read:

MUNCIE, IND.

Within a 5-mile radius of Delaware County-Johnson Field (latitude 40°14'25" N., longitude 85°23'45" W.); within 2½ miles each side of the Muncie VOR 125° radial, extending from the 5-mile radius zone to 6½ miles southeast of the VOR; within 2½ miles each side of the Muncie VOR 017° radial, extending from the 5-mile radius zone to 6½ miles north of the VOR; and within 3½ miles each side of the Muncie VOR 320° radial, extending from the 5-mile radius zone to 10 miles northwest of the VOR, from 0700 to 2300 hours local time daily.

(2) In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

MUNCIE, IND.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Delaware County-Johnson Field (latitude 40°14'30" N., longitude 85°23'45" W.); within 3 miles each side of the Muncie VOR 125° radial, extending from the 7-mile radius area to 8 miles southeast of the VOR; within 3 miles each side of the Muncie VOR 017° radial, extending from the 7-mile radius area to 8 miles north of the VOR; and within 3½ miles each side of the Muncie VOR 320° radial, extending from the 7-mile radius area to 10 miles northwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 40°40'00" N., longitude 85°30'00" W.; to latitude 40°30'00" N., longitude 85°22'00" W.; to latitude 40°30'00" N., longitude 84°49'00" W.; to latitude 40°10'00" N., longitude 85°00'00" W.; to latitude 40°10'00" N., longitude 85°05'45" W.; to latitude 40°00'00" N., longitude 84°58'00" W.; to latitude 40°00'00" N., longitude 86°00'00" W.; to latitude 40°07'00" N., longitude 86°00'00" W.; to latitude 40°30'00" N., longitude 85°50'00" W.; to latitude 40°40'00" N., longitude 85°50'00" W.; to the point of beginning; and within a 12-mile radius of Marion, Indiana Municipal Airport (latitude 40°29'25" N., longitude 85°40'40" W.).

[F.R. Doc. 69-12960; Filed, Oct. 29, 1969;
8:48 a.m.]

[Airspace Docket No. 69-SO-84]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On September 12, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 14332), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Greenville, Miss., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, the geographic coordinate (lat. 33°29'05" N., long. 90°59'20" W.) for Greenville Municipal Airport was obtained from Coast and Geodetic Survey. It is necessary to alter the description by inserting the geographic coordinate for the airport.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 8, 1970, as hereinafter set forth.

In § 71.171 (34 F.R. 4557), the Greenville, Miss., control zone is amended as follows: " * * * within 2 miles each side of the Greenville VOR 358° radial * * * " is deleted and " * * * within 3 miles each side of the Greenville VOR 358° radial * * * " is substituted therefor.

In § 71.181 (34 F.R. 4637), the Greenville, Miss., transition area is amended to read:

GREENVILLE, MISS.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Greenville Municipal Airport (lat. 33°29'05" N., long. 90°59'20" W.); within 3 miles each side of the Greenville VOR 358° radial, extending from the 8.5-mile radius area to 8.5 miles north of the VOR; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles west and 4.5 miles east of the Greenville VOR 358° radial, extending from the VOR to 18.5 miles north, excluding the portion within the State of Mississippi.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a), sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on October 20, 1969.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[P.R. Doc. 69-12961; Filed, Oct. 29, 1969; 8:48 a.m.]

[Airspace Docket No. 69-CE-67]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On page 13424 of the FEDERAL REGISTER dated August 20, 1969, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Glendive, Mont.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby

adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., January 8, 1970.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on October 15, 1969.

ROBERT I. GALE,
Acting Director, Central Region.

In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

GLENDIVE, MONT.

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Dawson Community Airport (latitude 47°08'20" N., longitude 104°48'25" W.); and within 4½ miles northeast and 9½ miles southwest of the 325° bearing from Dawson Community Airport, extending from the 12-mile radius area to 18½ miles northwest of the airport.

[P.R. Doc. 69-12962; Filed, Oct. 29, 1969; 8:48 a.m.]

[Airspace Docket No. 69-SO-86]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On September 17, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 14477), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Paris, Tenn., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 8, 1970, as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the Paris, Tenn., transition area is amended to read:

PARIS, TENN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Henry County Airport (lat. 36°20'15" N., long. 88°23'00" W.); within 3 miles each side of the 210° bearing from Paris RBN (lat. 36°20'28" N., long. 88°22'46" W.), extending from the 5-mile radius area to 8.5 miles southwest of the RBN; within 3 miles each side of the 353° bearing from Paris RBN, extending from the 5-mile radius area to 8.5 miles north of the RBN; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles east and 4.5 miles west of the 353° bearing from Paris RBN, extending from the RBN to 18.5 miles north; within 5 miles each side of the 331° bearing from Paris RBN, extending from the RBN to the Paducah, Ky., transition area, excluding the portion within the State of Tennessee.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on October 23, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[P.R. Doc. 69-12963; Filed, Oct. 29, 1969; 8:49 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Miscellaneous Amendments

Pursuant to the authority vested in the Secretary of Agriculture under the Commodity Exchange Act as amended (7 U.S.C. Chapter 1, 1964 ed., as amended, Supp. IV, 1969), the general regulations (17 CFR 1.1 et seq.) promulgated under such Act are hereby amended as follows:

1. Section 1.11 is revised to read as follows:

§ 1.11 Registration fees; form of remittance.

Each application for registration, or renewal thereof, as futures commission merchant shall be accompanied by a fee of \$30, plus a fee of \$5 for each domestic branch office and for each correspondent or agent, operating within the United States, authorized to solicit or accept orders for the purchase or sale of any commodity for future delivery on behalf of the applicant. Each application for registration, or renewal thereof, as floor broker, shall be accompanied by a fee of \$15. Fees shall be remitted by money order, bank draft, or check, payable to The Commodity Exchange Authority, USDA. Applications and fees shall be forwarded to the nearest regional office of The Commodity Exchange Authority, U.S. Department of Agriculture.

2. Section 1.14 is revised to read as follows:

§ 1.14 Deficiencies, inaccuracies, and changes, to be reported by futures commission merchants and floor brokers.

(a) Each registrant shall file promptly with the Commodity Exchange Authority a statement on Form 3-R to correct any deficiency or inaccuracy in the registrant's application for registration, or any supplemental statement thereto, and report any change which renders no longer accurate and current the information contained in any of the following items of such application or supplemental statement:

(1) With respect to a futures commission merchant. The following items of

Form 1-R "Application for Registration as Futures Commission Merchant":

Item 2—Address of principal office;
Item 3—Location of books and records, and whether or not the operation is conducted under section 1.31a;

Item 5—Partners, if a partnership, which as a matter of law does not create a new partnership (see section 1.15);

Item 6—Management, and ownership or control of registrants which are corporations;

Item 8—Addresses of domestic branch offices and names of managers thereof;

Item 9—Correspondents and agents (excluding employees), operating within the United States, authorized to solicit or accept commodity futures orders on behalf of the registrant whether or not they maintain offices;

Item 10—Memberships in regulated commodity markets;

Item 11.—Action by any commodity or securities exchange or related clearing organization, a national securities association, the U.S. Securities and Exchange Commission, the securities commission or equivalent authority of any State for the regulation of brokers and dealers in securities, involving the registrant or any general partner of the registrant if it is a partnership, or any officer or holder of more than 10 per centum of the stock of the registrant if it is a corporation, or any person who participates in managing the business of the registrant or of any office of the registrant, or any person authorized to solicit or accept orders on behalf of the registrant; conviction of the registrant or any such person of any felony in any Federal or State court; conviction of the registrant or any such person of any offense involving the handling of any commodity or securities account for any customer, in any Federal or State court; debarment of the registrant or any such person by any agency of the United States from contracting with the United States; or involvement by the registrant or any such person in either voluntary or involuntary bankruptcy proceedings.

New domestic branch offices and new correspondents and agents who are operating within the United States and are authorized to solicit or accept commodity futures orders on behalf of the registrant, shall be reported promptly and fees shall be remitted as provided in § 1.11.

(2) *With respect to a floor broker.* The following items of Form 2-R "Application for Registration as Floor Broker":

Item 2—Business address;

Item 4—Names of principal clearing members through whom registrant clears commodity futures transactions for accounts which he controls or in which he has a financial interest;

Item 5—Name of each principal clearing member for whom the registrant is currently engaged as floor broker;

Item 6—Action involving the registrant by any commodity or securities exchange or related clearing organization, a national securities association, the U.S. Securities and Exchange Commission, the securities commission or equivalent authority of any State for the regulation of brokers and dealers in securities; conviction of any felony in any Federal or State court; conviction of any offense involving the handling of any commodity or securities account for any customer, in any Federal or State court; or debarment by any agency of the United States from contracting with the United States.

(b) All statements on Form 3-R shall be prepared and filed in accordance with the instructions appearing thereon.

These amendments shall become effective on November 1, 1969.

The Commodity Exchange Act provides that registrations of future commission merchants and floor brokers be renewed each calendar year and that applications for registration be in the form and manner prescribed by the Secretary of Agriculture. Application forms covering registration for the calendar year 1970 have recently been revised, and the revised forms will be distributed to prospective applicants on or about November 3, 1969. The purposes of the revisions are to adapt the application forms to processing by automatic data processing equipment.

These amendments revise existing regulations to make references therein consistent with the new forms, to provide for more equitable distribution of the costs of processing applications of those registrants who use correspondents or agents, and to include in the application form certain information which has previously been reported on other forms. The amendments make only minor changes, increase fees minimally and require no item of information to be reported which has not previously been required. It does not appear that notice and public procedure would make additional information available to the Department.

In order to accomplish their purposes in the public interest, it is essential that these amendments be in effect when the new forms are received by applicants.

Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedure on these amendments are impracticable and unnecessary, and good cause is found for making these amendments effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 8a as amended by secs. 20-23, 82 Stat. 32, 33; 7 U.S.C. 12a, 1964 ed., Supp. IV, 1969)

Issued: October 26, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[P.R. Doc. 69-12933; Filed, Oct. 29, 1969; 8:47 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

In Part 207, Subpart A, in the Table of Contents the heading of § 207.1 is amended as follows:

Sec.
207.1 Application, commitment, and required fees.

Subpart A—Eligibility Requirements

Section 207.1 is amended to read as follows:

§ 207.1 Application, commitment, and required fees.

(a) *Application.* An application for the issuance of either a conditional or firm commitment for insurance of a mortgage on a project shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form. No application shall be considered unless accompanied by the exhibits called for by the form.

(b) *Application for conditional commitment.* An application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for shall accompany the application for a conditional commitment.

(c) *Application for firm commitment.* An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for, if such fee has not been previously submitted. A commitment fee, in an amount which, when added to the application fee, will aggregate \$3 per thousand dollars of the mortgage applied for, shall also be submitted with the application for a firm commitment. The payment of a commitment fee shall not be required in connection with an insured mortgage involving the sale by the government of housing or property acquired, held or constructed pursuant to the Atomic Energy Community Act of 1955, as provided in § 207.31(b)(4).

(d) *Commitment.* (1) *Conditional commitment.* The issuance of a conditional commitment indicates completion of the Commissioner's preliminary analysis of the project and constitutes an agreement by the Commissioner, subject to specified terms and conditions, to accept an application for a firm commitment.

(2) *Firm commitment.* The issuance of a firm commitment indicates the Commissioner's approval of the application for insurance and sets forth the terms and conditions upon which the mortgage will be insured.

(3) *Types of firm commitment.* The firm commitment may provide for the insurance of advances of mortgage money made during construction or may provide for the insurance of the mortgage after completion of the improvements.

(4) *Term of commitment.* (i) A conditional commitment shall be effective for whatever term is specified in the text of the commitment.

(ii) A firm commitment to insure advances shall be effective for a period of not more than 180 days from the date of issuance.

(iii) A firm commitment to insure upon completion shall be effective for a designated term within which the mortgagor is required to begin construction, and if construction is begun as required, the commitment shall be effective for such additional period, estimated by the Commissioner, as will allow for completion of construction.

(iv) The term of either a conditional or firm commitment may be extended in such manner as the Commissioner may prescribe.

(e) *Inspection fee.* The firm commitment may provide for the payment of an inspection fee in an amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

(1) If the case involves the insurance of advances, it shall be paid at the time of initial endorsement.

(2) If the case involves insurance upon completion, it shall be paid prior to the date construction is begun.

(f) *Fees on increases.*—(1) *Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and commitment fee. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the requested increase. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount computed at the same dollar rate per thousand dollars of the amount of increase in commitment as was used for the inspection fee required in the original commitment. When insurance of advances is involved, the additional inspection fee shall be paid at the time of initial endorsement. When insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction is begun or if construction has begun, it shall be paid with the application for increase.

(2) *Increase in mortgage between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the mortgage, either by amendment or by substitution of a new mortgage, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the increase requested. If an inspection fee was required in the original commitment, and additional inspection fee shall accompany the application in an amount not to exceed the \$5 per thousand dollars of the amount of the increase requested.

(3) *Increase in mortgage after final endorsement to cover operating loss.* Upon application for an increase in the amount of an insured mortgage under the provisions authorizing such increase to cover operating losses incurred during the first two years following completion of the project, a combined application and commitment fee of \$3 per thousand dollars of the amount of the increase requested shall accompany the application. No inspection fee shall be required.

(g) *Reopening of expired commitments.* An expired conditional or firm

commitment may be reopened if a request for reopening is received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by the required application and commitment fee, must be submitted.

(h) *Transfer fee.* Upon application for approval of a case involving the transfer of physical assets or involving the substitution of mortgagors, a transfer fee of 50 cents per thousand dollars shall be paid on the original face amount of the mortgage.

(i) *Refund of fees.* If the amount of the commitment issued or increase in mortgage granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant. If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. Commitment, inspection and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction or financing of the project has been prevented because of condemnation proceedings or other legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

(Sec. 211, Stat. 23; 12 U.S.C. 1715b, Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

In Part 213, Subpart A, in the Table of Contents the heading of § 213.2 is amended as follows:

Sec.
213.2 Filing of application and issuance of commitment.

Subpart A—Eligibility Requirements—Projects

Section 213.2 is amended to read as follows:

§ 213.2 Filing of application and issuance of commitment.

(a) *Application.* An application for the issuance of either a conditional or firm commitment for insurance of a mortgage on a project shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form. No application shall be considered unless accompanied by the exhibits called for by the form.

(b) *Conditional commitment.* The issuance of a conditional commitment indicates completion of the Commissioner's preliminary analysis of the project and constitutes an agreement by the Commissioner, subject to specified terms and conditions, to accept an application for a firm commitment.

(c) *Firm commitment.* The issuance of a firm commitment indicates the Commissioner's approval of the application for insurance and sets forth the terms and conditions upon which the mortgage will be insured. The firm commitment may provide for the insurance of advances of mortgage money made during construction or may provide for the insurance of the mortgage after completion of the improvements.

(d) *Term of commitment.* (1) A conditional commitment shall be effective for whatever term is specified in the text of the commitment.

(2) A firm commitment to insure advances shall be effective for a period of not more than 180 days from the date of issuance.

(3) A firm commitment to insure upon completion shall be effective for a designated term within which the mortgagor is required to begin construction, and if construction is begun as required, the commitment shall be effective for such additional period, estimated by the Commissioner, as will allow for completion of construction.

(4) The term of either a conditional or firm commitment may be extended in such manner as the Commissioner may prescribe.

Section 213.3 is amended to read as follows:

§ 213.3 Fees required by Commissioner.

(a) *Application for conditional commitment.* An application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for shall accompany the application for a conditional commitment.

(b) *Application for firm commitment.* An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for, if such fee has not been previously submitted. A commitment fee, in an amount, which when added to the application fee, will aggregate \$3 per thousand dollars of the mortgage applied for, shall also be submitted with the application for a firm commitment. The payment of a commitment fee shall not be required in connection with an insured mortgage involving the sale by the government of housing or property acquired, held or constructed pursuant to the Atomic Energy Community Act of 1955, as provided in § 213.45(b)(4).

(c) *Fees on increases.*—(1) *Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and

commitment fee. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the requested increase. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount computed at the same dollar rate per thousand dollars of the amount of increase in commitment as was used for the inspection fee required in the original commitment. When insurance of advances is involved, the additional inspection fee shall be paid at the time of initial endorsement. When insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction is begun or if construction has begun, it shall be paid with the application for increase.

(2) *Increase in mortgage between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the mortgage, either by endorsement or by substitution of a new mortgage, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the increase requested. If an inspection fee was required in the original commitment, an additional inspection fee shall accompany the application in an amount not to exceed \$5 per thousand dollars of the amount of the increase requested.

(3) *Increase in mortgage after final endorsement to cover operating loss.* Upon application for an increase in the amount of an insured mortgage under the provisions authorizing such increase to cover operating losses incurred during the first 2 years following completion of the project, a combined application and commitment fee of \$3 per thousand dollars of the amount of the increase requested shall accompany the application. No inspection fee shall be required.

(d) *Reopening of expired commitments.* An expired conditional or firm commitment may be reopened if a request for reopening is received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by the required application and commitment fee, must be submitted.

(e) *Inspection fee.* The firm commitment may provide for the payment of an inspection fee in an amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

(1) If the case involves the insurance of advances, it shall be paid at the time of initial endorsement.

(2) If the case involves insurance upon completion, it shall be paid prior to the date construction is begun.

(f) *Transfer fee.* Upon application for approval of a case involving the transfer of physical assets or involving the substitution of mortgagors, a transfer fee of 50 cents per thousand dollars shall be paid on the original face amount of the mortgage.

(g) *Refund of fees.* If the amount of the commitment issued or increase in mortgage granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant. If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. Commitment, inspection, and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction or financing of the project has been prevented because of condemnation proceedings or other legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

Section 220.552 is amended to read as follows:

§ 220.552 Form of application.

An application for the issuance of either a conditional or firm commitment for insurance of a loan on a project shall be submitted by an eligible lender and by the sponsors of such project through the local FHA office on an approved FHA form. No application shall be considered unless accompanied by the exhibits called for by the form.

Section 220.553 is amended to read as follows:

§ 220.553 Application fee.

(a) *Application for conditional commitment.* An application fee of \$1.50 per thousand dollars of the amount of the loan applied for shall accompany the application for a conditional commitment.

(b) *Application for firm commitment.* An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the loan applied for, if such fee has not been previously submitted. A commitment

fee, in an amount which, when added to the application fee, will aggregate \$3 per thousand dollars of the loan applied for, shall also be submitted with the application for a firm commitment.

Section 220.554 is amended to read as follows:

§ 220.554 Commitment and commitment fee.

(a) *Conditions of commitment—(1) Conditional commitment.* The issuance of a conditional commitment indicates completion of the Commissioner's preliminary analysis of the project and constitutes an agreement by the Commissioner, subject to specified terms and conditions, to accept an application for a firm commitment.

(2) *Firm commitment.* The issuance of a firm commitment indicates the Commissioner's approval of the application for insurance and sets forth the terms and conditions upon which the loan will be insured.

(b) *Types of firm commitment.* The firm commitment may provide for the insurance of advances of loan money made during construction or may provide for the insurance of the loan after completion of the improvements.

(c) *Term of commitment.* (1) A conditional commitment shall be effective for whatever term is specified in the text of the commitment.

(2) A firm commitment to insure advances shall be effective for a period of not more than 180 days from the date of issuance.

(3) A firm commitment to insure upon completion shall be effective for a designated term within which the borrower is required to begin construction, and if construction is begun as required, the commitment shall be effective for such additional period, estimated by the Commissioner, as will allow for completion of construction.

(4) The term of either a conditional or firm commitment may be extended in such manner as the Commissioner may prescribe.

(d) *Reopening of expired commitments.* An expired conditional or firm commitment may be reopened if a request for reopening is received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by the required application and commitment fee, must be submitted.

In § 220.555 the introductory text is amended to read as follows:

§ 220.555 Inspection fee.

The firm commitment may provide for the payment of an inspection fee in an amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

Section 220.560 is amended to read as follows:

§ 220.560 Fees on increases.

(a) *Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and commitment fee. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the requested increase. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount computed at the same dollar rate per thousand dollars of the amount of increase in commitment as was used for the inspection fee required in the original commitment. When insurance of advances is involved, the additional inspection fee shall be paid at the time of initial endorsement. When insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction has begun or if construction has begun, it shall be paid with the application for increase.

(b) *Increase in loan between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the loan, either by amendment or by substitution of a loan, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the increase requested. If an inspection fee was required in the original commitment, an additional inspection fee shall accompany the application in an amount not to exceed \$5 per thousand dollars of the amount of the increase requested.

Section 220.561 is amended to read as follows:

§ 220.561 Refund of fees.

If the amount of the commitment issued or increase in loan granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant. If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. Commitment, inspection and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that the improvements or financing of the project have been prevented because of condemnation proceedings or other legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

In Part 221, Subpart C, in the Table of Contents, the headings of §§ 221.503 and 221.504 are amended as follows:

Sec. 221.503 Application for conditional commitment.

221.504 Application for firm commitment.

Subpart C—Eligibility Requirements—Moderate Income Projects

Section 221.502 is amended to read as follows:

§ 221.502 Application.

(a) An application for the issuance of either a conditional or firm commitment for insurance of a mortgage on a project shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form.

(b) No application shall be considered unless the following applicable requirements are met:

(1) All of the exhibits called for in the application are submitted to the Commissioner.

(2) In a case involving a mortgage which is to bear interest at the below market rate provided in § 221.518(b), the Commissioner shall have issued a memorandum evidencing allocation of funds to the project.

Section 221.503 is amended to read as follows:

§ 221.503 Application for conditional commitment.

An application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for shall accompany the application for a conditional commitment.

Section 221.504 is amended to read as follows:

§ 221.504 Application for firm commitment.

An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for, if such fee has not been previously submitted. A commitment fee, in an amount which, when added to the application fee, will aggregate \$3 per thousand dollars of the mortgage applied for, shall also be submitted with the application for a firm commitment. The payment of a commitment fee shall not be required in connection with an insured mortgage involving the sale by the government of housing or property acquired, held or constructed pursuant to the Atomic Energy Community Act of 1955, as provided in § 221.559(b)(4).

In § 221.505 the introductory text is amended to read as follows:

§ 221.505 Inspection fee.

The firm commitment may provide for the payment of an inspection fee in an

amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

Section 221.506 is amended to read as follows:

§ 221.506 Fees on increases.

(a) *Fees on increases—(1) Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and commitment fee. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the requested increase. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount computed at the same dollar rate per thousand dollars of the amount of increase in commitment as was used for the inspection fee required in the original commitment. When insurance of advances is involved, the additional inspection fee shall be paid at the time of initial endorsement. When insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction is begun or if construction has begun, it shall be paid with the application for increase.

(b) *Increase in mortgage between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the mortgage, either by amendment or by substitution of a new mortgage, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the increased requested. If an inspection fee was required in the original commitment, an additional inspection fee shall accompany the application in an amount not to exceed \$5 per thousand dollars of the amount of the increase requested.

(c) *Increase in mortgage after final endorsement to cover operating loss.* Upon application for an increase in the amount of an insured mortgage under the provisions authorizing such increase to cover operating losses incurred during the first 2 years following completion of the project, a combined application and commitment fee of \$3 per thousand dollars of the amount of the increase requested shall accompany the application. No inspection fee shall be required.

Section 221.507 is amended to read as follows:

§ 221.507 Refund of fees.

If the amount of the commitment issued, or increase in mortgage granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant.

If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. Commitment, inspection, and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction or financing of the project has been prevented because of condemnation proceedings or other legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715f.)

SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES

PART 232—NURSING HOMES MORTGAGE INSURANCE

In Part 232, Subpart A, in the Table of Contents, the headings of §§ 232.10 and 232.11 are amended as follows:

- Sec.
232.10 Application for conditional commitment.
232.11 Application for firm commitment.

Subpart A—Eligibility Requirements

Section 232.5 is amended to read as follows:

§ 232.5 Application.

An application for the issuance of either a conditional or firm commitment for insurance of a mortgage on a project shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form. No application shall be considered unless accompanied by the exhibits called for by the form.

Section 232.10 is amended to read as follows:

§ 232.10 Application for conditional commitment.

An application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for shall accompany the application for a conditional commitment.

Section 232.11 is amended to read as follows:

§ 232.11 Application for firm commitment.

An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for, if such fee has not been previously submitted. A commitment fee, in an amount which, when added to the application fee, will aggregate \$3 per thousand dollars of the mortgage applied for, shall also be submitted with the application for a firm commitment. The payment of a commitment fee shall not be

required in connection with an insured mortgage involving the sale by the government of housing or property acquired, held or constructed pursuant to the Atomic Energy Community Act of 1955, as provided in § 207.31(b)(4) of this chapter.

In § 232.12 the introductory text is amended to read as follows:

§ 232.12 Inspection fee.

The firm commitment may provide for the payment of an inspection fee in an amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

Section 232.13 is amended to read as follows:

§ 232.13 Fees on increases.

(a) *Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and commitment fee. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the requested increase. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount computed at the same dollar rate per thousand dollars of the amount of increase in commitment as was used for the inspection fee required in the original commitment. When insurance of advances is involved, the additional inspection fee shall be paid at the time of initial endorsement. When insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction is begun or if construction has begun, it shall be paid with the application for increase.

(b) *Increase in mortgage between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the mortgage, either by amendment or by substitution of a new mortgage, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the increase requested. If an inspection fee was required in the original commitment, an additional inspection fee shall accompany the application in an amount not to exceed \$5 per thousand dollars of the amount of the increase requested.

(c) *Increase in mortgage after final endorsement to cover operating loss.* Upon application for an increase in the amount of an insured mortgage under the provisions authorizing such increase to cover operating losses incurred during the first two years following completion of the project, a combined application and commitment fee of \$3 per thousand dollars of the amount of the increase

requested shall accompany the application. No inspection fee shall be required.

(d) *Reopening of expired commitments.* An expired conditional or firm commitment may be reopened if a request for reopening is received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by the required application and commitment fee, must be submitted.

Section 232.14 is amended to read as follows:

§ 232.14 Refund of fees.

If the amount of the commitment issued or increase in mortgage granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant. If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. Commitment, inspection and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction or financing of the project has been prevented because of condemnation proceedings or other legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 232, 73 Stat. 663; 12 U.S.C. 1715w.)

SUBCHAPTER N—PROJECTS FOR LOWER INCOME FAMILIES

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS

§ 236.3 [Redesignated]

In the FEDERAL REGISTER for August 23, 1969, the new § 236.2 should have been designated as "236.3" and the reference in the Table of Contents should be changed accordingly.

Subpart A—Eligibility Requirements for Mortgage Insurance

Section 236.5 is amended to read as follows:

§ 236.5 Application.

(a) An application for issuance of either a conditional or firm commitment for insurance of a mortgage on a project shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form.

(b) No application shall be considered unless the following requirements are met:

(1) All of the exhibits called for in the application are submitted to the Commissioner.

(2) The Commissioner has allocated to the project contract authority for interest reduction payments.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 236, 82 Stat. 498; 12 U.S.C. 1715a-1)

SUBCHAPTER Q—SUPPLEMENTAL PROJECT LOAN INSURANCE

PART 241—SUPPLEMENTARY FINANCING FOR FHA PROJECT MORTGAGES

In Part 241, Subpart A, in the Table of Contents, the headings to §§ 241.10 and 241.15 are amended to read as follows:

Sec.
241.10 Application and commitment fees.
241.15 Commitments.

Subpart A—Eligibility Requirements

Section 241.10 is amended to read as follows:

§ 241.10 Application and commitment fees.

(a) *Application.* An application for the issuance of either a conditional or firm commitment for insurance of an improvement loan on a project shall be submitted by an approved lender and by the sponsors of such project through the local FHA office on an approved FHA form. No application shall be considered unless the exhibits called for by such form are furnished.

(b) *Application and commitment fees—(1) Application for conditional commitment.* An application fee of \$1.50 per thousand dollars of the amount of the loan applied for shall accompany the application for a conditional commitment.

(2) *Application for firm commitment.* An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the loan applied for, if such fee has not been previously submitted. A commitment fee, in an amount which, when added to the application fee, will aggregate \$3 per thousand dollars of the loan applied for, shall also be submitted with the application for a firm commitment.

Section 241.15 is amended to read as follows:

§ 241.15 Commitments.

(a) *Conditional commitment.* The issuance of a conditional commitment indicates completion of the Commissioner's preliminary analysis of the project and constitutes an agreement by the Commissioner, subject to specified terms and conditions, to accept an application for a firm commitment.

(b) *Firm commitment.* The issuance of a firm commitment indicates the Commissioner's approval of the application for insurance and sets forth the

terms and conditions upon which the loan will be insured.

(c) *Types of firm commitment.* The firm commitment may provide for the insurance of advances of loan money made during construction or may provide for the insurance of the loan after completion of the improvements.

(d) *Term of commitment.* (1) A conditional commitment shall be effective for whatever term is specified in the text of the commitment.

(2) A firm commitment to insure advances shall be effective for a period of not more than 180 days from the date of issuance.

(3) A firm commitment to insure upon completion shall be effective for a designated term within which the borrower is required to begin construction, and if construction is begun as required, the commitment shall be effective for such additional period, estimated by the Commissioner, as will allow for completion of construction.

(4) The term of either a conditional or firm commitment may be extended in such manner as the Commissioner may prescribe.

(e) *Reopening of expired commitments.* An expired conditional or firm commitment may be reopened if a request for reopening is received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by the required application and commitment fee, must be submitted.

In § 241.20 the introductory text is amended to read as follows:

§ 241.20 Inspection fee.

The firm commitment may provide for the payment of an inspection fee in an amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

Section 241.25 is amended to read as follows:

§ 241.25 Fees on increases.

(a) *Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and commitment fee. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the requested increase. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount computed at the same dollar rate per thousand dollars of the amount of increase in commitment as was used for the inspection fee required in the original

commitment. When insurance of advances is involved, the additional inspection fee shall be paid at the time of initial endorsement. When insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction is begun or if construction has begun, it shall be paid with the application for increase.

(b) *Increase in loan between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the loan, either by amendment or by substitution of a new loan, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$3 per thousand dollars of the amount of the increase requested. If an inspection fee was required in the original commitment, an additional inspection fee shall accompany the application in an amount not to exceed \$5 per thousand dollars of the amount of the increase requested.

Section 241.30 is amended to read as follows:

§ 241.30 Refund of fees.

If the amount of the commitment issued or increase in loan granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant. If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. Commitment, inspection, and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction of financing of the project has been prevented because of condemnation proceedings or other legal action taken by governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 241, 82 Stat. 508; 12 U.S.C. 1715a-6)

SUBCHAPTER V—LAND DEVELOPMENT INSURANCE

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

In Part 1000, Subpart A, in the Table of Contents the headings to §§ 1000.10 and 1000.12 are amended as follows:

Sec.
1000.10 Application and commitment fees.
1000.12 Conditions of commitment.

Subpart A—Eligibility Requirements

Section 1000.7 is amended to read as follows:

§ 1000.7 Filing of application.

An application for the issuance of either a condition or firm commitment

for insurance of a mortgage on a project shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form. No application shall be considered unless the information, documents, and exhibits required by the application are furnished.

Section 1000.10 is amended to read as follows:

§ 1000.10 Application and commitment fees.

(a) *Application for conditional commitment.* An application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for shall accompany the application for a conditional commitment.

(b) *Application for firm commitment.* An application for a firm commitment shall be accompanied by the payment of an application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for, if such fee has not been previously submitted. A commitment fee, in an amount which, when added to the application fee, will aggregate \$4.50 per thousand dollars of the mortgage applied for, shall also be submitted with the application for a firm commitment.

Section 1000.12 is amended to read as follows:

§ 1000.12 Conditions of commitment.

(a) *Conditional commitment.* The issuance of a conditional commitment indicates completion of the Commissioner's preliminary analysis of the project and constitutes an agreement by the Commissioner, subject to specified terms and conditions, to accept an application for a firm commitment.

(b) *Firm commitment.* The issuance of a firm commitment indicates the Commissioner's approval of the application for insurance and sets forth the terms and conditions upon which the mortgage will be insured.

(c) *Types of firm commitment.* The firm commitment may provide for the insurance of advances of mortgage money made during construction or may provide for the insurance of the mortgage after completion of the improvements.

(d) *Term of commitment.* (1) A conditional commitment shall be effective for whatever term is specified in the text of the commitment.

(2) A firm commitment to insure advances shall be effective for a period of not more than 180 days from the date of issuance.

(3) A firm commitment to insure upon completion shall be effective for a designated term within which the mortgagor is required to begin construction, and if construction is begun as required, the commitment shall be effective for such additional period, estimated by the Commissioner, as will allow for completion of construction.

(4) The term of either a conditional or firm commitment may be extended in such manner as the Commissioner may prescribe.

(e) *Reopening of expired commitments.* An expired conditional or firm commitment may be reopened if a request for reopening is received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by the required application and commitment fee, must be submitted.

Section 1000.17 is amended to read as follows:

§ 1000.17 Fees on increases.

(a) *Increase in firm commitment prior to endorsement.* An application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding firm commitment shall be accompanied by a combined additional application and commitment fee. This combined additional fee shall be in an amount which will aggregate \$4.50 per thousand dollars of the amount of the requested increase.

(b) *Increase in mortgage between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the mortgage, either by amendment or by substitution of a new mortgage, a combined additional application and commitment fee shall accompany the application. This combined additional fee shall be in an amount which will aggregate \$4.50 per thousand dollars of the amount of the increase requested.

Section 1000.22 is amended to read as follows:

§ 1000.22 Refund of fees.

If the amount of the commitment issued or increase in mortgage granted is less than the amount applied for, the Commissioner shall refund the excess amount of the application and commitment fees submitted by the applicant. If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application and commitment fees or any portion thereof may be returned to the applicant. The commitment and reopening fee may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction or financing of the project has been prevented because of condemnation proceedings or other legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

(Sec. 1010, 79 Stat. 464; 12 U.S.C. 1749j)

SUBCHAPTER W—GROUP PRACTICE FACILITIES INSURANCE

PART 1100—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

In Part 1100, Subpart A, in the Table of Contents, the heading to § 1100.10 is

amended and a new § 1100.11 is added as follows:

Sec.	
1100.10	Application filing and required fees.
1100.11	Maximum fees and charges by mortgagee.

Subpart A—Eligibility Requirements

Section 1100.10 is amended to read as follows:

§ 1100.10 Application filing and required fees.

(a) *Application.* An application for insurance of a mortgage on a group practice facility shall be submitted by an approved mortgagee and by the sponsors of such project through the local FHA office on an approved FHA form.

(b) *Application fee.* An application fee of \$1.50 per thousand dollars of the amount of the mortgage applied for shall accompany the application.

(c) *Commitment.* (1) *Conditions of commitment.* Upon approval of an application for insurance, a commitment shall be issued by the Commissioner setting forth the terms and conditions upon which the mortgage will be insured.

(2) *Types of commitments.* The commitment may provide for the insurance of advances of mortgage money made during construction or may provide for the insurance of the mortgage after completion of the improvements.

(3) *Term of commitment.* (i) If the commitment fee is paid as required, a commitment shall have a term which is determined as follows:

(a) A commitment to insure advances shall be effective for a period of not more than 180 days from the date of issuance.

(b) A commitment to insure upon completion shall be effective for a designated term within which the mortgagor is required to begin construction, and if construction is begun as required, the commitment shall be effective for such additional period, estimated by the Commissioner, as will allow for completion of construction.

(ii) The term of a commitment may be extended in such manner as the Commissioner may, from time to time, prescribe.

(iii) If the payment of a commitment fee is not received by the Commissioner within 30 days after the date of issuance of a commitment, the commitment shall expire on the 30th day.

(d) *Commitment fee.* A commitment fee which, when added to the application fee, will aggregate \$3 per thousand dollars of the face amount of the mortgage set forth in the commitment, shall be paid within 30 days after the date of the commitment.

(e) *Inspection fee.* The commitment may provide for the payment of an inspection fee in an amount not to exceed \$5 per thousand dollars of the commitment. If an inspection fee is required, it shall be paid as follows:

(1) If the case involves the insurance of advances, it shall be paid at the time of initial endorsement.

(2) If the case involves insurance upon completion, it shall be paid prior to the date construction is begun.

(f) *Fees on increases.* (1) *Increase in commitment prior to endorsement.* Upon

an application, filed prior to initial endorsement (or prior to endorsement in a case involving insurance upon completion), for an increase in the amount of an outstanding commitment, an additional application fee of \$1.50 per thousand dollars computed upon the amount of the increase requested shall accompany the application. Any increase in the amount of a commitment shall be subject to the payment of an additional commitment fee which, when added to the additional application fee, will aggregate \$3 per thousand dollars of the amount of the increase. The additional commitment fee shall be paid within 30 days after the date of the issuance of the amended commitment. If the additional commitment fee is not paid within 30 days, the commitment for the increased amount will expire and the previous commitment will be reinstated. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount not to exceed \$5 per thousand dollars of the amount of increase in commitment. Where insurance of advances are involved, the additional inspection fee shall be paid at the time of initial endorsement. Where insurance upon completion is involved, the additional inspection fee shall be paid prior to the date construction is begun or if construction has begun, it shall be paid with the application for increase.

(2) *Increase in mortgage between initial and final endorsement.* Upon an application, filed between initial and final endorsement, for an increase in the amount of the mortgage, either by amendment or by substitution of a new mortgage, an additional application fee of \$1.50 per thousand dollars computed on the amount of the increase requested shall accompany the application. The approval of any increase in the amount of the mortgage shall be subject to the payment of an additional commitment fee which, when added to the additional application fee, will aggregate \$3 per thousand dollars of the amount of the increase granted. If an inspection fee was required in the original commitment, an additional inspection fee shall be paid in an amount not to exceed \$5 per thousand dollars of the amount of the increase granted. The additional commitment and inspection fees shall be paid within 30 days after the increase is granted.

(3) *Loan to cover operating loss.* In connection with a loan to cover operating losses during the first 2 years following completion of the project, a combined application and commitment fee of \$3 per thousand dollars shall be paid on the amount of the commitment issued. Such fee shall be paid within 30 days after the issuance of the commitment to insure such loan.

(g) *Reopening of expired commitments.* An expired commitment may be reopened if a request for reopening is

received by the Commissioner within 90 days of the expiration of the commitment. The reopening request shall be accompanied by a fee of 50 cents per thousand dollars of the amount of the expired commitment. A commitment which has expired because of failure to pay the commitment fee may be reopened only upon payment of the commitment fee and the reopening fee. If the reopening request is not received by the Commissioner within the required 90-day period, a new application, accompanied by an application fee, must be submitted. If a commitment for an increased amount has expired because of failure to pay an additional commitment fee based on the amount of the increase, the reopening fee shall be computed on the basis of the amount of the commitment increase rather than on the amount of the original commitment.

(h) *Transfer fee.* Upon application for approval of a case involving the transfer of physical assets or involving the substitution of mortgagors, a transfer fee of 50 cents per thousand dollars shall be paid on the original face amount of the mortgage.

(i) *Refund of fees.* If an application is rejected before it is assigned for processing, or in such other instances as the Commissioner may determine, the entire application fee or any portion thereof may be returned to the applicant. Commitment, inspection and reopening fees may be refunded, in whole or in part, if it is determined by the Commissioner that there is a lack of need for the housing or that the construction or financing of the project has been prevented because of condemnation proceedings or other type of legal action taken by a governmental body or public agency, or in such other instances as the Commissioner may determine. A transfer fee may be refunded only in such instances as the Commissioner may determine.

In Part 1100, Subpart A, a new § 1100.11 is added to read as follows:

§ 1100.11 Maximum fees and charges by mortgagee.

The mortgagee may collect from the mortgagor the amount of the fees provided for in this subpart. The mortgagee may also collect from the mortgagor an initial service charge in an amount not to exceed 2 percent of the original principal amount of the mortgage to reimburse the mortgagee for the cost of closing the transaction. Any additional charges or fees collected from the mortgagor shall be subject to prior approval of the Commissioner.

(Sec. 1101, 80 Stat. 1255, 1274; 12 U.S.C. 1749aaa-1 et seq.)

Issued at Washington, D.C., October 23, 1969.

EUGENE A. GULLEDGE,
Federal Housing Commissioner.

[F.R. Doc. 69-12925; Filed, Oct. 29, 1969; 8:46 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Reg. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950—)

Subpart J—Procedures, Payment of Benefits, and Representation of Parties

TIME FOR FILING BRIEF WITH APPEALS COUNCIL; DIRECT PAYMENT OF ATTORNEY'S FEES

Subpart J of Part 404 of Chapter III of Title 20 of the Code of Federal Regulations as amended (20 CFR Part 404) is amended as follows:

1. Section 404.942 is revised to read as follows:

§ 404.942 Appeals Council proceedings on certification and review; procedure before Appeals Council on certification by the hearing examiner.

When a case has been certified to the Appeals Council by a hearing examiner with his recommended decision (see § 404.939), the hearing examiner shall mail notice of such action to the parties at their last known addresses. The parties shall be notified of their right to file with the Appeals Council within 10 days from the date of mailing of the recommended decision, briefs or other written statements of exceptions or allegations as to applicable fact and law, except in the case of suspension or disqualification (see § 404.985(b)). Upon request of any party made within such 10-day period, a 10-day extension of time for filing such briefs or statements shall be granted and, upon a showing of good cause, such 10-day period may be extended, as appropriate. Where there is more than one party, copies of such briefs or written statements shall be filed in sufficient number that they may be made available to any party requesting a copy or any other party designated by the Appeals Council. Copies or a statement of the contents of the documents or other written evidence received in evidence in the hearing record, and a copy of the transcript of oral evidence adduced at the hearing, if any, or a condensed statement thereof shall be made available to any party upon request, upon payment of the cost, or if such cost is not readily determinable, the estimated amount thereof, unless, for good cause shown, such payment is waived. When a case has been certified to the Appeals Council by a hearing examiner for decision any party shall be given, upon his request, a reasonable opportunity to appear before the Appeals Council for the purpose of presenting oral argument.

2. Section 404.950(b) is revised to read as follows:

§ 404.950 Decision by Appeals Council or remanding of case.

(b) *Case remanded to hearing examiner.* Where a case is remanded to a hearing examiner, he shall initiate such additional proceedings and take such other action (under §§ 404.919 through 404.940) as is directed by the Appeals Council in its order of remand. The hearing examiner may take any additional action not inconsistent with the order of remand. Upon completion of all action called for by the order of remand and any other action initiated by the hearing examiner, the hearing examiner shall promptly (1) issue a decision in writing which contains findings of fact and a statement of reasons, or (2) when so directed by the Appeals Council, return the case with his recommended decision to the Appeals Council for its decision. A copy of the decision shall be mailed to each party at his last known address. When a recommended decision is issued, the hearing examiner shall also notify each party of his right to file with the Appeals Council within 10 days from the date of mailing of the recommended decision, briefs or other written statements of exceptions and allegations as to applicable fact and law, except in the case of suspension or disqualification (see § 404.985(b)). Upon request of any party made within such 10-day period, a 10-day extension of time for filing such briefs or statements shall be granted and, upon a showing of good cause, such 10-day period may be extended, as appropriate.

3. In § 404.975, paragraph (e) is revised to read as follows:

§ 404.975 Fee for services performed for an individual before the Social Security Administration.

(e) *Administrative review of fee determination.* Administrative review of a fee determination will be granted only if a request is filed by either the representative or the claimant within 30 days of the date of the notice of the fee determination. The request for administrative review shall be in writing and filed at an office of the Administration and a copy sent to the other party. Upon the filing of such request for review of a fee determination, an authorized official of the Administration who did not participate in the fee determination in question will review the determination.

(Secs. 205, 206, 1102, 1872, 53 Stat. 1368, as amended, 53 Stat. 1372, as amended, 49 Stat. 647, as amended, 79 Stat. 332; sec. 5, Reorg. Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405, 406, 1302, 1395(i))

4. *Effective date.* These regulations shall be effective upon publication in the FEDERAL REGISTER.

Dated: October 8, 1969.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: October 24, 1969.

ROBERT H. FINCH,
Secretary of Health,
Education, and Welfare.

[F.R. Doc. 69-12974; Filed, Oct. 29, 1969;
8:49 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER E—EDUCATION

PART 34—ADMINISTRATION OF A PROGRAM OF VOCATIONAL TRAINING FOR ADULT INDIANS

Training in Sectarian Institutions

OCTOBER 23, 1969.

This notice is published in the exercise of rule-making authority (hereinafter referred to) delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. Pursuant to authority vested in the Secretary of the Interior by sections 161, 463, and 465 of the Revised Statutes (5 U.S.C. 301; 25 U.S.C. 2 and 9), Part 34, Subchapter E, Chapter I, of Title 25 of the Code of Federal Regulations is amended by the revision of §§ 34.5 and 34.9. These revisions remove the exception with respect to sectarian schools, on the basis of Public Law 90-280 (82 Stat. 71), and thereby permit the approval of vocational training for adult Indians, under section 1, 70 Stat. 986 and section 1(a), 77 Stat. 471 (25 U.S.C. 309), in accredited sectarian institutions of higher education and in other accredited sectarian schools offering vocational and technical training. Since this revision removes a restriction, advance notice and public procedure thereon have been deemed unnecessary and are dispensed with under the exception provided in subsection (d) (1) of 5 U.S.C. 553 (Supp. II, 1965-1966). Accordingly, these revisions will become effective upon publication in the FEDERAL REGISTER.

As revised, § 34.5 reads as follows:

§ 34.5 Approval of courses for vocational training at institutions.

A course of vocational training at any institution, public or private, offering vocational training, or with any school of nursing offering a 3-year course of study leading to a diploma in nursing which is accredited by a recognized body or bodies approved for such purpose by the Secretary, may be approved; *Provided*,

(a) The institution is accredited by a recognized national or regional accrediting association; or

(b) The institution is approved for training by a State agency authorized to make such approvals; and,

(c) It is determined that there is reasonable certainty of employment for graduates of the institution in their respective fields of training.

As revised, § 34.9 reads as follows:

§ 34.9 Contracts and agreements.

Training facilities and services required for the program of vocational training may be arranged through contracts or agreements with agencies, establishments, or organizations. These may include:

(a) Appropriate Federal, State, or local government agencies, or

(b) Private schools which have a recognized reputation in vocational education as successfully obtaining employment for its graduates in the fields of training approved by the Secretary or his authorized representative, for purposes of the program, or

(c) Corporations and associations with apprenticeship or on-the-job training programs recognized by industry and labor as leading to skilled employment.

T. W. TAYLOR,
Deputy Commissioner.

[F.R. Doc. 69-12951; Filed, Oct. 29, 1969;
8:48 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

Mount Rainier National Park, Wash.; Fishing, Mountain Climbing, and Elimination of Duplicated Material

On September 3, 1969, notice was published in the FEDERAL REGISTER (34 F.R. 13994) as a proposed rule making a proposed amendment of 36 CFR 7.5, relating to regulations on fishing and climbing and hiking.

That notice afforded all interested parties 30 days from date of publication within which to submit to the Superintendent of Mount Rainier National Park comments, suggestions, or objections. In view of the few comments by the general public, the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of its publication in the FEDERAL REGISTER.

By authority contained in section 3 of the act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), 245 DM 1 (27 F.R. 6395), as amended, National Park Service Order No. 34 (31 F.R. 4255), as amended, National Park Service Order No. 4 (31 F.R. 5769), as amended, § 7.5 of Title 36 of the Code of Federal Regulations is amended as set forth below.

§ 7.5 Mount Rainier National Park.

(a) *Fishing.* (1) Fishing in lakes shall be from July 4 to October 31 inclusive.

(2) The following waters are closed to fishing:

- (i) Tipsoo Lake.
- (ii) Shadow Lake.

- (iii) Klickitat Creek above the White River Entrance water supply intake.
- (iv) Laughing Water Creek above the Ohanapecosh water supply intake.
- (v) Frozen Lake.
- (vi) Reflection Lakes.
- (vii) Ipsut Creek above the Ipsut Creek Campground water supply intake.

(3) Except for artificial fly fishing, the Ohanapecosh River and its tributaries are closed to all fishing.

(4) There shall be no minimum size limit on fish that may be possessed.

(b) *Climbing and hiking.* (1) Registration with the Superintendent is required prior to and upon return from any climbing or hiking on glaciers or above the normal high camps such as Camp Muir and Camp Schurman.

(2) A person under 18 years of age must have permission of his parent or legal guardian before climbing above the normal high camps.

(3) A party traveling above the high camps must consist of a minimum of two persons unless prior permission for a solo climb has been obtained from the Superintendent. The Superintendent will consider the following points when reviewing a request for a solo climb: The weather prediction for the estimated duration of the climb, and the likelihood of new snowfall, sleet, fog, or hail along the route, the feasibility of climbing the chosen route because of normal inherent hazards, current route conditions, adequacy of equipment and clothing, and qualifying experience necessary for the route contemplated.

JOHN A. TOWNSLEY,
Superintendent,
Mount Rainier National Park.

[F.R. Doc. 69-12952; Filed, Oct. 29, 1969;
8:48 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35, and 36

MISCELLANEOUS AMENDMENTS

1. In § 21.4131(a), subparagraph (4) is added to read as follows:

§ 21.4131 Commencing dates.

The commencing date of an award or increased award of educational assistance allowance will be determined under this section.

(a) *Entrance or reentrance including change of program or school* (§ 21.4234).

(4) Where an award has been discontinued under the provisions of § 21.4135 (e) (2), resumption, if in order, will be

effective as of the commencing date of the succeeding regular term.

2. In § 21.4135, paragraph (e) is amended to read as follows:

§ 21.4135 Discontinuance dates.

The effective date of reduction or discontinuance of educational assistance allowance will be specified in this section. If more than one type of reduction or discontinuance is involved, the earliest date will control.

(e) *Course discontinued; course interrupted—intervals between terms.* (1) Last date of attendance or, if enrollment certified for ordinary school year and veteran or eligible person has completed one or more terms, but does not return for the next term, discontinuance will be effective the end of the term completed.

(2) Regardless of whether a school has certified enrollment for an ordinary school year, payment of educational assistance allowance will not be made for an interval between the fall and spring terms which extends for more than 30 consecutive calendar days in length and no intersession classes for which credit is granted are pursued. Discontinuance will be effective the date the evidence shows that the student was no longer pursuing his educational program within the meaning of the law and Veterans Administration regulations, and the policies of the school.

3. In § 21.4272, paragraph (d) is amended to read as follows:

§ 21.4272 Collegiate undergraduate; credit-hour basis.

(d) *Courses; measurement equivalency.* Where a semester is less than 18 weeks or a quarter is less than 12 weeks and for any term of lesser duration, the equivalent for full-time training of 14 or more credit hours or for part-time training will be measured as follows:

(1) Multiply the credits to be earned in the session by 18 if credit is granted in semester hours, or by 12 if credit is granted in quarter hours. Divide the total by the number of whole weeks in the session. The result (quotient) will be the figure on which educational assistance allowance will be computed using the criteria in § 21.4270. For example, 6 semester hours granted in a 7-week term will be converted as follows:

$$\frac{6 \times 18}{7} = 15.4$$

semester hours. This is greater than 14 semester hours and is full-time training.

(2) In determining whole weeks for this formula, disregard 3 days or less and consider 4 or more days as a full week.

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective the date of approval.

Approved: October 23, 1969.

By direction of the Administrator.

[SEAL]

FRED B. RHODES,
Deputy Administrator.

[F.R. Doc. 69-12945; Filed, Oct. 29, 1969;
8:47 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 177—FEDERAL, STATE AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Subpart A—General Provisions

SPECIAL ALLOWANCES

Subpart A is amended by adding a new § 177.4 *Special allowances*, dealing with the payment to lenders of the allowances authorized by section 2 of the "Emergency Insured Student Loan Act of 1969" (Public Law 91-95). Section 177.4 covers the provision of allowances with respect to insured loans to vocational students as well as to students in institutions of higher education. Section 177.4 reads as follows:

§ 177.4 Special allowances.

(a) *Prescription of allowance.* Whenever the Secretary of Health, Education, and Welfare finds the conditions set forth in the first sentence of section 2 of the "Emergency Insured Student Loan Act of 1969" are met, he may prescribe, for such period as he shall specify, and after consultation with the Secretary of the Treasury and the heads of other appropriate agencies, the payment of a special allowance to each holder of an eligible loan or loans. For purposes of this section the term "eligible loan" means a loan disbursed on or after August 1, 1969, which is insured by the Commissioner or by a guarantee agency pursuant to an agreement with the Commissioner. The amount of any such allowance and the period for which it will be paid will be prescribed under paragraph (c) of this section.

(b) *Method of payment.* The special allowance shall be payable on the average unpaid balance of disbursed principal (not including interest or other charges added to principal) and shall be paid by the Commissioner on the basis of billings submitted in accordance with such instructions as are issued for that purpose. The average unpaid balance of disbursed principal shall be determined, at the election of the holder, either (1) by adding the unpaid balance of disbursed principal of all loans outstanding on the first day of the specified period and the unpaid balance of disbursed principal of all loans outstanding on the last day of such period and dividing by 2, or (2) by adding the unpaid balance of disbursed

principal on all such loans outstanding on each day of the specified period and dividing by the number of days in such period (average daily balance). The holder may not change his election of the method of determining the average unpaid balance of disbursed principal without the prior approval of the Commissioner.

(c) *Promulgation of special allowances.* A special allowance is authorized to be paid for the period August 1, 1969, through September 30, 1969, inclusive, in an amount equal to the rate of 2 percent per annum of the average unpaid balance of disbursed principal of eligible loans.

(Sec. 2, 83 Stat. 141)

Dated: October 23, 1969.

JAMES E. ALLEN, Jr.,
Assistant Secretary,
Commissioner of Education.

Approved: October 24, 1969.

ROBERT H. FINCH
Secretary.

[P.R. Doc. 69-12972; Filed, Oct. 29, 1969;
8:49 a.m.]

Chapter II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

Methods for Determination of Eligibility

The effective dates for statewide implementation of the regulations on methods for the determination of eligibility are predicated upon a favorable determination by the Secretary that the results of testing in selected areas in the States warrant implementation. Should a favorable determination result, the earliest effective date for implementation will now be January 1, 1970, instead of October 1, 1969, for Old Age Assistance (OAA); and July 1, 1970, instead of April 1, 1970, for Aid to Families with Dependent Children (AFDC). The earliest effective date for Aid to the Blind (AB), Aid to the Permanently and Totally Disabled (APTD), Aid to the Aged, Blind, or Disabled (AABD), and Medical Assistance (MA) remains January 1, 1970.

Accordingly Part 205 is amended by revising § 205.20(a)(2) as follows:

§ 205.20 Methods for determination of eligibility.

(a) * * *

(2) Effective January 1, 1970, in OAA, AB, APTD, AABD, and MA, and July 1, 1970, in AFDC, this method will be in use statewide for determining initial and continuing eligibility: *Provided*, That the Secretary shall determine that the results from the test basis local units using the simplified method support the overall

effectiveness of such method on a permanent basis.

(Sec. 1102, 49 Stat. 647, 42 U.S.C. 1302)

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

Dated: October 6, 1969.

MARY E. SWITZER,
Administrator, Social and
Rehabilitation Service.

Approved: October 23, 1969.

ROBERT H. FINCH,
Secretary.

[P.R. Doc. 69-12973; Filed, Oct. 29, 1969;
8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-2, Amdt. 173-14]

PART 173—SHIPPERS

Packaging of Certain Radioactive Materials

The purpose of these amendments is to simplify the procedure for obtaining approval of packagings for certain radioactive materials by eliminating the requirement for issuance of a special permit in each case. These amendments are based on a notice of proposed rule making (Notice No. 69-14, Docket No. HM-2) published in the FEDERAL REGISTER on May 28, 1969 (34 F.R. 8244).

Interested persons were afforded an opportunity to participate in this rule making. Numerous comments were received from interested organizations representing shippers of fissile and radioactive materials, as well as several industry trade organizations, the U.S. Atomic Energy Commission, and the Canadian Atomic Energy Control Board. All of the comments received supported the basic proposal. Most commenters recommended that § 173.396 also be revised to extend the proposed procedures for certificates of package approval to fissile radioactive materials packages. These commenters pointed out that it would appear to be inappropriate to continue to use special permits as the means for approving fissile radioactive material packages.

The Board did not propose in Notice 69-14 to remove the fissile radioactive material packaging approvals from the special permit category because these special permits, in addition to approving the packaging, also included additional substantive limitations. These were the numerical values for package assignment for fissile class I, the transport indices for fissile class II packages, and the vehicle limitations for fissile class III packages. Upon a review of the comments received, the Board agrees that it is desirable to remove the fissile

packaging approval from the special permit category. This approval can be accomplished under the "certificate of approval" procedure providing the above described packaging and loading limitations are otherwise taken care of. This has been accomplished by including a requirement (§ 173.396(h)) that the applicable provisions of the U.S. Atomic Energy Commission regulations (10 CFR 71.36-71.40) be complied with. This requirement would also apply to the specification packagings listed in § 173.396.

The notice also proposed to include as a part of the regulations certain other shipping requirements which have been routinely included in special permits. Included are requirements for prior notification by the shippers to consignees and the providing of any special loading/unloading instructions. Several commenters stated that the objective of the requirement for prior notification to the consignee should be clarified and also questioned whether such notification was required prior to each shipment or prior to a planned series of shipments. The reason for the advance notification requirement is to determine promptly whether any shipment has been misrouted or possibly lost. The amendment to § 173.22 makes it clear that notification is required prior to each shipment. However, the Board does not consider it appropriate to include a statement of "objectives" as part of the regulations.

Several commenters recommended that acceptance of a U.S. Atomic Energy Commission license amendment or other approval by that Commission in place of a package structural integrity evaluation remain automatic as in present §§ 173.394(c)(2) and 173.395(c)(2) rather than become discretionary with the Department as proposed. While in the vast majority of cases the U.S. Atomic Energy Commission license amendment or other approval will of itself be sufficient, the Board has determined that the Department should retain the option to require additional information to the extent it believes such information is necessary.

In order to establish the procedures for implementation of these amendments with a minimum of administrative effort and costs, existing Department of Transportation special permits for packages subject to this amendment will be converted to "certificates" either upon their expiration or revision.

In addition to the changes discussed above other minor changes in language have been made for clarification.

Since this amendment primarily relates to the administrative manner in which certain radioactive packaging approvals will be handled and since it imposes no burden on any person, the Board finds that good cause exists for making it effective on less than 30 days notice.

In consideration of the foregoing, the Hazardous Materials Regulations of the Department of Transportation (49 CFR Part 173) are hereby amended effective November 5, 1969, as set forth below.

(Secs. 831-835, 18 U.S.C., sec. 9, Department of Transportation Act (49 U.S.C. 1657), title VI, sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421-1430, 1472(h)))

Issued in Washington, D.C., on October 24, 1969.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

Issued in Washington, D.C., on October 24, 1969.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

Issued in Washington, D.C., on October 24, 1969.

E. H. HOLMES,
Acting Federal
Highway Administrator.

Issued in Washington, D.C., on October 24, 1969.

SAM SCHNEIDER,
Board Member, For the
Federal Aviation Administration.

(A) In § 173.22, paragraph (b) is added to read as follows:

§ 173.22 Shipper's responsibility.

(b) Prior to each shipment of fissile radioactive materials, and Type B or large quantities of radioactive materials, the shipper shall notify the consignee of the dates of shipment and of expected arrival. The shipper shall also notify each consignee of any special loading/unloading instructions prior to his first shipment.

(B) In § 173.394, paragraphs (b) (3) and (c) (2) are amended to read as follows:

§ 173.394 Radioactive material in special form.

(3) Any other Type B packaging for which the Department has issued a certificate of compliance.

(c) Any other Type B packaging which meets the pertinent requirements for large quantities of radioactive materials in the regulations of the U.S. Atomic Energy Commission (10 CFR Part 71), or the 1967 regulations of the International Atomic Energy Agency, and for which the Department has issued a certificate of compliance. In applying for Departmental certification, a copy of the U.S. Atomic Energy Commission license amendment or other approval of that Commission may be accepted in place of the package structural integrity evaluation.

(C) In § 173.395, paragraphs (b) (2) and (c) (2) are amended to read as follows:

§ 173.395 Radioactive material in normal form.

(2) Any other Type B packaging for which the Department has issued a certificate of compliance.

(2) Any other Type B packaging which meets the pertinent requirements for large quantities of radioactive materials in the regulations of the U.S. Atomic Energy Commission (10 CFR Part 71), or the 1967 regulations of the International Atomic Energy Agency, and for which the Department has issued a certificate of compliance. In applying for Departmental certification, a copy of the U.S. Atomic Energy Commission license amendment or other approval of that Commission may be accepted in place of the package structural integrity evaluation.

(D) In § 173.396, paragraphs (b) (4) and (c) (3) are amended; paragraph (h) is added to read as follows:

§ 173.396 Fissile radioactive material.

(4) Any other Type A or B packaging which also meets the standards for packaging for fissile radioactive material in the regulations of the U.S. Atomic Energy Commission (10 CFR Part 71), or the 1967 regulations of the International Atomic Energy Agency, and for which the Department has issued a certificate of compliance. In applying for Departmental certification, a copy of the U.S. Atomic Energy Commission license amendment or other approval of that Commission may be accepted in place of the package structural integrity and nuclear safety evaluation.

(3) Any other Type B packaging which also meets the standards for packaging for fissile radioactive materials in the regulations of the U.S. Atomic Energy Commission (10 CFR Part 71), or the 1967 regulations of the International Atomic Energy Agency, and for which the Department has issued a certificate of compliance. In applying for Departmental certification, a copy of the U.S. Atomic Energy Commission license amendment or other approval of that Commission may be accepted in place of the package structural integrity and nuclear safety evaluation.

(h) The numerical values for package assignments as fissile class I, the transport indices for fissile class II packages, and the vehicle limitations for fissile class III packages must be determined in accordance with §§ 71.36 through 71.40 of Title 10 of the Code of Federal Regulations.

[P.R. Doc. 69-12942; Filed, Oct. 29, 1969; 8:47 a.m.]

[Docket No. HM-26, Amdts. 173-15, 178-6]

PART 173—SHIPPERS

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Specification 50X Portable Tanks and 4B240X Cylinders

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to can-

cel the regulation which authorizes (1) the use of specification 50X portable tanks for butane, and (2) cancel Appendices A and A1 to Subpart C of Part 178 pertaining to the construction requirements for specification 4B240X cylinders and specification 50X portable tanks.

On July 16, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-26; Notice No. 69-18 (34 F.R. 11978) which proposed to delete references in the regulations to the authorized use and construction of specification 4B240X cylinders and 50X portable tanks. It appeared to the Board that the appendices and special authorization mentioned therein no longer served any valid purpose and that they should be deleted.

Interested persons were afforded an opportunity to participate in this rule making. Owners or users of either of the two types of containers were invited to submit information pertinent to number of containers used, type of service, and retest data.

Of the comments received, no exceptions were taken to canceling the regulation pertaining to the construction of specification 4B240X cylinders and 50X portable tanks nor to withdrawing the provision allowing the continued use of existing specification 50X portable tanks.

Three commenters urged retention of the provisions of §§ 173.301(h) and 173.304(d) (3) (i) authorizing continued use of existing specification 4B240X cylinders in liquefied petroleum gas service. They indicated that several thousand specification 4B240X cylinders are currently in use and that experience with these cylinders over the years has been favorable. These commenters indicated that, from a design standpoint, the specification 4B240X cylinder is equivalent to specification 4BA cylinders.

In view of these comments and in the absence of any adverse safety record, the Board agrees that specification 4B240X cylinders should continue to be authorized as presently prescribed.

In consideration of the foregoing, Parts 173 and 178 of Title 49 of the Code of Federal Regulations are amended, effective December 31, 1969, as set forth below.

I. Part 173 is amended as follows:

(A) In § 173.32, paragraph (d) is canceled as follows:

§ 173.32 Qualification, maintenance, and use of portable tanks.

(d) [Canceled]

§ 173.304 [Amended]

(B) In § 173.304, paragraph (d) (3) (i) the following parenthetical phrase is deleted: "(see Appendix A-1 to Subpart C of Part 178 of this chapter)." The remainder of the paragraph remains the same.

II. Part 178 is amended as follows:

(A) In the Table of Contents, Appendices A and A1 following § 178.68 are canceled.

(B) In Part 178, Subpart C, Appendices A and A1 are canceled in their entirety.

(Secs. 831-835, 18 U.S.C., sec. 9, Department of Transportation Act (49 U.S.C. 1657), title VI, sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h))

Issued in Washington, D.C., on October 24, 1969.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

Issued in Washington, D.C., on October 24, 1969.

R. W. WHITMAN,
Administrator,
Federal Railroad Administration.

Issued in Washington, D.C., on October 24, 1969.

E. H. HOLMES,
Acting Federal
Highway Administrator.

Issued in Washington, D.C., on October 24, 1969.

SAM SCHNEIDER,
Board Member, For the
Federal Aviation Administration.

[F.R. Doc. 69-12944; Filed, Oct. 29, 1969;
8:47 a.m.]

[Docket No. HM-9, Amdts. 174-4, 177-7]

PART 174—CARRIERS BY RAIL FREIGHT

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

Canadian Shipments and Packaging

On August 1, 1969, the Hazardous Materials Regulations Board published miscellaneous amendments to the Department's Hazardous Materials Regulations in the FEDERAL REGISTER (34 F.R. 12588). In Amendment 173-11, several changes were made in section 173.8 relative to Canadian shipments and packagings. However, corresponding changes were not made in §§ 174.505 and 177.805. The purpose of the amendment herein is to reference these sections to § 173.8.

Since interested persons were afforded an opportunity to participate by commenting on the amendment of § 173.8, and due consideration was given to all relevant matter presented, notice and public procedure on the amendments made herein are unnecessary.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended, effective December 30, 1969, as follows:

I. Part 174 is amended as follows:

(A) In the table of contents, § 174.505 is amended to read as follows:

Sec.
174.505 Canadian shipments and packagings.

(B) Section 174.505 is amended in its entirety to read as follows:

§ 174.505 Canadian shipments and packagings.

(a) Canadian shipments and packagings may be carried under conditions specified in § 173.8 of this chapter.

II. Part 177 is amended as follows:

(A) In the Table of Contents, § 177.805 is amended to read as follows:

Sec.
177.805 Canadian shipments and packagings.

(B) Section 177.805 is amended in its entirety to read as follows:

§ 177.805 Canadian shipments and packagings.

(a) Canadian shipments and packagings may be carried under conditions specified in § 173.8 of this chapter.

(Secs. 831-835, 18 U.S.C. sec. 9, Department of Transportation Act (49 U.S.C. 1657), title VI, sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h))

Issued in Washington, D.C., on October 24, 1969.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

Issued in Washington, D.C., on October 24, 1969.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

Issued in Washington, D.C., on October 24, 1969.

E. H. HOLMES,
Acting Federal
Highway Administrator.

Issued in Washington, D.C., on October 24, 1969.

SAM SCHNEIDER,
Board Member, For the
Federal Aviation Administration.

[F.R. Doc. 69-12943; Filed, Oct. 29, 1969;
8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Bitter Lake National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

NEW MEXICO

BITTER LAKE NATIONAL WILDLIFE REFUGE

The public hunting of ring-necked and white-winged pheasants, quail, and rabbits on the Bitter Lake National Wildlife refuge, N. Mex., is permitted as follows: Pheasants, from November 29, through November 30, 1969, inclusive; Quail from November 29, 1969, through January 4, 1970, inclusive; Rabbits from November 1, 1969, through January 15, 1970, inclusive, only in the areas open to waterfowl hunting. These areas, comprising 3,000 acres, are delineated on

maps available at refuge headquarters, 13 miles northeast of Roswell, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103.

Hunting shall be in accordance with all applicable State regulations governing the hunting of pheasants, quail, and rabbits.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 15, 1970.

GAYLORD L. INMAN,
Refuge Manager, Bitter Lake
National Wildlife Refuge,
Roswell, N. Mex.

OCTOBER 21, 1969.

[F.R. Doc. 69-12926; Filed, Oct. 29, 1969;
8:46 a.m.]

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agri- culture

[Amdt. 29]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPLICATION

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1970 crop year in the following respect:

That portion of the third sentence of paragraph (b) of § 401.103 of this chapter which precedes item (3) is amended effective beginning with the 1970 crop year to read as follows:

As to such share tenant's or sharecropper's share, notwithstanding any provision of the contract to the contrary, (1) the applicant shall be considered the insured and the share insured shall be considered as his share, (2) premiums and losses shall be computed in the same manner and under the same terms and conditions as if the share tenant or sharecropper had signed (and the Corporation accepted) an individual application for insurance,

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on October 17, 1969.

[SEAL]

NELSON V. LITTLE,
Secretary, Federal Crop
Insurance Corporation.

Approved: October 25, 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-12932; Filed, Oct. 29, 1969;
8:47 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Navel Orange Reg. 181]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.481 Navel Orange Regulation 181.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the pub-

lic interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges;

it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 28, 1969.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period October 31, 1969, through November 6, 1969, are hereby fixed as follows:

- (i) District 1: 169,662 cartons.
- (ii) District 2: Unlimited cartons.
- (iii) District 3: 4,804 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: October 29, 1969.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Consumer
and Marketing Service.

[F.R. Doc. 69-13044; Filed, Oct. 29, 1969;
11:23 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 81]

METROPOLITAN SAN ANTONIO IN- TRASTATE AIR QUALITY CONTROL REGION

Notice of Proposed Designation and of Consultation With Appropriate State and Local Authorities

Pursuant to authority delegated by the Secretary and redelegated to the Commissioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate the Metropolitan San Antonio Intrastate Air Quality Control Region (Texas) as set forth in the following new § 81.40 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Texas and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at 10 a.m., November 14, 1969, in Room 25, Convention Hall, San Antonio Convention Center, Alamo and Market Streets, San Antonio, Tex.

Mr. Doyle J. Borchers is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of later sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Office of the Commissioner, National Air Pollution Control Administration, Ballston Center Tower II, Room 905, 801 North Randolph Street, Arlington, Va. 22203 of such intention at least 1 week prior to the consultation. A report prepared for the consultation is available upon request to the Office of the Commissioner.

In Part 81 a new § 81.40 is proposed to be added to read as follows:

§ 81.40 Metropolitan San Antonio Intra- state Air Quality Control Region.

The Metropolitan San Antonio Intrastate Air Quality Control Region (Texas) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Texas:
Bexar County. Guadalupe County.
Comal County.

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law 90-148, 81 Stat. 490, 504, 42 U.S.C. 1857c-2(a), 1857g(a).

Dated: October 21, 1969.

JOHN T. MIDDLETON,
Commissioner, National Air
Pollution Control Administration.

[F.R. Doc. 69-12766; Filed, Oct. 29, 1969;
8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 69-EA-128]

AIRWORTHINESS DIRECTIVE

Eclipse Pioneer (Bendix)

The Federal Aviation Administration is considering amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to revise AD 65-21-1, applicable to Bendix starters installed on Lycoming engines.

Since the publication of AD 65-21-1 and its amendment in May of 1966, service experience indicates a need to include similar models which have had service difficulties and include an improved version of the original service kit.

Interested persons are invited to participate in the making of the proposed rule by submitting written data and views. Communications should identify the docket number and be submitted in duplicate to the Office of Regional Counsel, FAA Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430.

All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of comments received.

All comments will be available in the Office of Regional Counsel for examination by interested parties.

In consideration of the foregoing, it is proposed to amend Part 39 of the Federal Aviation Regulations as follows:

1. Amend § 39.13 of Part 39 of the Federal Aviation Regulations by revoking the description of AD 65-21-1 and inserting in lieu thereof the following:

Applies to BENDIX MODEL Nos. 756-9C, -9E, -10C, -16A, -21C, -21E, -22C, -22E, -54C, -56C, -56E, -62C, -62D, -64C, -64D, -74B, -76A, BENDIX-ECLIPSE 397 series and GARWIN G-760. Starters installed on Lycoming Engines only.

Compliance required as indicated.

To prevent starter jaw ratcheting, and assure positive starter jaw disengagement from the engine, thereby preventing jaw fracturing with associated possibility of engine failure, accomplish the following:

(a) Modify engine installed starters having less than 900 hours' in service since new or since overhaul as of the effective date of this AD, in accordance with (c) or (d) prior to 1,000 hours' in service.

(b) Modify engine installed starters having 900 hours' or more time in service since new or since overhaul as of the effective date of this AD, in accordance with (c) or (d) within the next 100 hours' in service after the effective date of the AD.

(c) Unless previously accomplished, install Bendix Service Kit SK-159 per Bendix Service Bulletin Nos. 93 and 94 in those model starters listed above that have a torque rating over 250 lb./ft. The service kit incorporates modified components and rework procedure.

(d) Unless previously modified with Service Kit SK-111, install Service Kit SK-159 per Bendix S/B 93 and 94 in those model starters that have a torque rating 250 lb./ft. or lower.

This AD supersedes AD 65-21-1 as revised May 14, 1966.

This amendment is made under the authority of section 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on October 21, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-12968; Filed, Oct. 29, 1969;
8:49 a.m.]

[14 CFR Part 39]

[Docket No. 9939]

AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Viscount Models 744, 745D, and 810 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding

an airworthiness directive (AD) applicable to Viscount Models 744, 745D, and 810 Series Airplanes. There have been failures of the nose gear downlock microswitch mechanism without any indication to the pilot that the downlock had not adequately engaged. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require an adjustment to the nose gear downlock microswitch mechanism to ensure that an inadequately engaged downlock position will be indicated to the pilot.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before November 26, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Viscount Models 744, 745D, and 810 Series Airplanes.

Within the next 500 landings after the effective date of this AD unless already accomplished, adjust the nose landing gear downlock microswitch mechanism in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 262, Issue 2 (Models 744 and 745D series airplanes), or in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 125, Issue 2 (Model 810 series airplanes), or later ARB-approved issue or an FAA-approved equivalent.

Issued in Washington, D.C., on October 22, 1969.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 69-12954; Filed, Oct. 29, 1969;
8:48 a.m.]

[14 CFR Part 39]

[Docket No. 69-EA-126]

AIRWORTHINESS DIRECTIVES

Canadair Aircraft

The Federal Aviation Administration is considering amending § 39.13 of the

Federal Aviation Regulations so as to issue an airworthiness directive applicable to Canadair CL-215-1A10 type airplanes.

There have been incidents of cracked spray strips and elongated bolts on the CL-215-1A10 airplane. Since this situation can exist on other airplanes of a similar type design, an airworthiness directive is being issued which will require an inspection and replacement where necessary of the chine spray strips and attachment bolts.

Interested persons are invited to participate in the making of the proposed rule by submitting written data and views. Communications should identify the docket number and be submitted in duplicate to the Office of Regional Counsel, FAA, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430.

All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before taking action upon the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments will be available in the Office of Regional Counsel for examination by interested parties.

In consideration of the foregoing, it is proposed to amend Part 39 of the Federal Aviation Regulations as follows:

1. Amend § 39.13 of the Federal Aviation Regulations by adding the following new airworthiness directive:

CANADAIR. Applies to CL-215-1A10 airplanes certificated in all categories utilized in seaplane operation.

To prevent hazards associated with the loss of the chine spray strips, accomplish the following:

(a) Prior to further flight visually inspect the left and right chine spray strips P/N 215-30058-2, -3 and the bolts attaching the strips to the hull for cracks and/or deformation. These inspections are to be repeated within 25 water scoop and drop sequences or before the first flight of each day of operation, whichever occurs first. Replace cracked or deformed parts before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the installation can be performed.

(b) The inspection required by this AD constitute preventive maintenance and may be performed by persons authorized to perform preventive maintenance under FAR 43.

(c) The compliance times of the repetitive inspections may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, upon receipt of substantiating data submitted through an FAA Maintenance Inspector.

This amendment is made under the authority of section 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on October 22, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-12966; Filed, Oct. 29, 1969;
8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SW-66]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Georgetown, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the following transition area is added:

GEORGETOWN, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Georgetown Municipal Airport (lat. 30° 40' 47" N., long. 97° 40' 52" W.).

The proposed transition area will provide airspace protection for aircraft executing approach/departure procedures proposed at the Georgetown Municipal Airport, Georgetown, Tex.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on October 21, 1969.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 69-12967; Filed, Oct. 29, 1969;
8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SO-69]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Savannah, Ga., control zone and transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Regional Headquarters, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Regional Headquarters, Room 724, 3400 Whipple Street, East Point, Ga.

The Savannah control zone described in § 71.171 (34 F.R. 4557) would be redesignated as:

Within a 5-mile radius of Savannah Municipal Airport (lat. 32°07'35" N., long. 81°12'05" W.); within a 5-mile radius of Hunter AAF (lat. 32°00'30" N., long. 81°08'45" W.); within 2 miles each side of Hunter ILS localizer east course, extending from the 5-mile radius zone to 3 miles west of the OM.

The Savannah transition area described in § 71.181 (34 F.R. 4637) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Hunter AAF (lat. 32°00'30" N., long. 81°08'45" W.); within an 8.5-mile radius of Savannah Municipal Airport (lat. 32°07'35" N., long. 81°12'05" W.); within 2.5 miles each side of Savannah ILS localizer east course, extending from the 8.5-mile radius area to 8.5 miles east of the intersection of the ILS localizer east course and Savannah VORTAC 179° radial.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria requires the following actions:

Control zone. 1. Revoke the extension predicated on Savannah Municipal Airport ILS localizer west course.

2. Revoke the extension predicated on Savannah VORTAC 241° radial.

3. Reduce the extension predicated on Hunter AAF ILS localizer east course 1 mile.

Transition area. 1. Increase the Savannah Municipal Airport basic radius circle from 8 to 8.5 miles.

2. Increase the Hunter AAF basic radius circle from 6 to 8.5 miles.

3. Increase the extension predicated on Savannah Municipal Airport ILS localizer east course 1 mile in width and 0.5 mile in length.

4. Revoke the extension predicated on Savannah VORTAC 061° radial.

The proposed alterations are required to provide controlled airspace protection for IFR operations in climb to 1,200 feet above the surface and in descent from 1,500 feet above the surface.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on October 22, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[P.R. Doc. 69-12964; Filed, Oct. 29, 1969;
8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-CE-104]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Huron, S. Dak.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Since designation of the Huron, S. Dak., control zone and transition area, the instrument approach procedures for Howes Municipal Airport, Huron, S. Dak.,

are being altered to include DME arcs. In addition, the criteria for designation of control zones and transition areas have been changed. Accordingly, it is necessary to alter the Huron control zone and transition area to adequately protect aircraft executing the modified instrument approach procedures and to comply with the new control zone and transition area criteria.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

1. In § 71.171 (34 F.R. 4557), the following control zone is amended to read:

HURON, S. DAK.

Within a 5-mile radius of Howes Municipal Airport (latitude 44°23'05" N., longitude 98°13'40" W.); and within 1½ miles each side of the Huron VOR 134° radial, extending from the 5-mile radius zone to the VOR.

2. In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

HURON, S. DAK.

That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Howes Municipal Airport (latitude 44°23'05" N., longitude 98°13'40" W.); and within 4½ miles northeast and 11 miles southwest of the Huron VOR 314° and 134° radials, extending from 5 miles southeast to 18½ miles northwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius of the Huron VOR, extending from the 314° radial clockwise to the 125° radial; and within a 17-mile radius of the Huron VOR, extending from the 125° radial clockwise to the 314° radial.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Mo., on October 10, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

[P.R. Doc. 69-12965; Filed, Oct. 29, 1969;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Economic Regs. Docket No. 21556; EDR-172]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Reporting of Ferry Flight Statistics

OCTOBER 24, 1969.

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Part 241 of its economic regulations (14 CFR Part 241) which would change the manner of reporting ferry flight statistics.

The principal features of the proposed amendment are described in the explanatory statement below and the proposed

amendment is set forth in the proposed rule. The amendment is proposed under the authority of sections 204(a) and 407 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before December 1, 1969, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C. upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory Statement. The results of a survey of a number of route carriers indicate a lack of uniformity in reporting, for Form 41 purposes, statistics related to "paid ferry flights" conducted in commercial charter operations, and in flying the empty backhaul portion of Military Airlift Command (MAC) one-way charter operations. Specifically, these statistics are considered revenue items by some carriers and nonrevenue by others. As a result, the reported statistical data are not actually comparable on an industry-wide basis. Further, for those carriers reporting incorrectly, load and capacity statistics for charter services and total services are distorted.

In order to remedy this situation, the Board proposes to differentiate in its regulations between true ferry flight statistics, a nonrevenue item not includible in determining capacity and load statistics, and so-called "paid ferry flight" statistics. The latter shall be redesignated "paid positioning flight" statistics and will be a revenue item, and thus includible in determining capacity and load statistics, where the flight is for the purpose of positioning an empty aircraft in connection with a charter flight for which a specific separate charge is set forth in a tariff or contract. Where no specific separate charge is set forth in a tariff or contract, such as in the case of empty backhaul flights performed in connection with one-way charters for the Military Airlift Command, the flight shall be considered a nonrevenue flight.

In addition to providing for changes to certain of the present definitions and the addition of new definitions, the proposed rule provides for the addition of new lines on Schedule T-1 to provide for separate reporting therein of hours, miles, and departures for paid positioning revenue flights and other revenue flights. This reporting requirement coupled with the more definitive terminology in the regulations should serve to assure that carriers presently reporting commercial charter paid positioning flight statistics

as nonrevenue will begin considering these statistics as revenue. The total revenue statistical figures reported on other "T" schedules will continue to agree with T-1 reported data. At present we see no need for having the nonrevenue position flight statistical data reported separately; therefore, these data shall continue to be reported with total non-revenue figures on the appropriate traffic schedules. Neither do we see a need at present for having revenue paid positioning flight statistics reported separately by component operations or aircraft type; therefore, no changes are proposed to Schedules T-1(a) and T-3. In Schedule T-3, nonrevenue positioning flight aircraft hours flown, as in the case of MAC empty backhaul, shall be included in item 9677 "Other".

The effect of the proposed amendments will be to supersede Interpretation Letter No. 7, July 30, 1962, and revised October 10, 1966.

It is proposed that these amendments to Part 241 be made effective January 1, 1970.

It is proposed to amend Part 241 of the Economic Regulations (14 CFR Part 241) as follows:

1. Amend the definitions in section 03 of "Flight, ferry" and "Miles flown, non-revenue aircraft" and add a new definition of "Flight, paid positioning" as follows:

Flight, ferry. A nonrevenue flight for the purpose of positioning aircraft for service, maintenance or other operational reason for which a carrier receives neither revenue nor cost reimbursement.

Flight, paid positioning. A flight for the purpose of positioning an empty aircraft in connection with a charter flight for which a specific separate charge is set forth in a tariff or contract shall be considered a revenue flight. Where no specific separate charge is set forth in a tariff or contract, such as in the case of empty backhaul flights performed in connection with one-way charters for the Military Airlift Command, the flight shall be considered a nonrevenue flight.

Miles flown, aircraft.

Miles flown, nonrevenue aircraft. The aircraft miles flown on nonrevenue flights, such as ferry, MAC empty backhaul, personnel training, extension and development, and abortive revenue flights.

Miles, revenue aircraft.

2. Amend paragraph (d) of section 25—Schedule T-41 Charter and Special Service Revenue Aircraft Miles Flown by substituting "paid positioning mileage" for "paid ferry mileage" in the two places this term occurs.

3. Amend CAB Form 41 by revising Schedules T-1 and T-41 in pertinent part as attached hereto and incorporated herein by reference.¹

[F.R. Doc. 69-12969; Filed, Oct. 29, 1969; 8:49 a.m.]

¹ Filed as part of the original document.

FEDERAL POWER COMMISSION

[18 CFR Parts 2, 157]

[Docket No. R-973]

GAS-PURCHASE FACILITIES BUDGET-TYPE APPLICATIONS

Notice of Proposed Rule Making

OCTOBER 23, 1969.

1. Notice is given pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553), that the Federal Power Commission is proposing to revise its rules and regulations under the Natural Gas Act to provide for an increase in expenditure limits on gas purchase facilities. The revision is proposed in view of the increased costs of material and installation, and also to encourage the attachment of new gas supplies through a less complicated procedure.

2. The proposed revision is in furtherance of the Commission's continuing endeavors to find ways and means of expediting its proceedings without, at the same time, unduly imposing additional burdens upon applicants or adversely affecting their customers.

3. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426 on or before December 8, 1969, data, views, and comments in writing concerning the revisions proposed herein. The Commission will consider these written submissions before taking any action upon the proposed revisions. An original and nine (9) copies of any such submittal should be filed.

4. The revision of the Commission's regulations is proposed to be issued under the authority granted by the Natural Gas Act, as amended, particularly sections 7, 15, and 16 thereof (52 Stat. 824, 829, 830; 56 Stat. 83, 84, 15 U.S.C. 717f, 717n, 717o).

5. Accordingly, we propose to amend paragraph (a) (1) and (2) of § 2.58 (18 CFR 2.58 (a) (1), (2)) to read as follows:

§ 2.58 Budget-type certificate applications—gas purchase facilities.

(a) (1) The total estimated cost of the facilities to be installed in a given 12-month period does not exceed 2 percent of the applicant company's plant account or \$7 million whichever is lesser.

(2) The total cost of any single project facilities to be installed during the authorization period does not exceed 25 percent of the total budget amount or \$1 million whichever is the lesser.

6. We also propose to amend paragraph (b) of § 157.7 (18 CFR 157.7(b) (1) (i), (ii)) to read as follows:

§ 157.7 Abbreviated applications.

(b) Gas-purchase facilities budget-type applications.

(1) (i) The total estimated cost of the gas-purchase facilities proposed in the application does not exceed 2 percent of the applicant's gas plant (Account

PROPOSED RULE MAKING

101. Uniform System of Accounts Prescribed for Natural Gas Companies or \$7 million whichever is the lesser.

(ii) The cost of gas-purchase facilities for any single project to be installed during the authorized construction period does not exceed 25 percent of the total budget amount or \$1 million whichever is the lesser.

* * * * *

7. The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12907; Filed, Oct. 29, 1969;
8:45 a.m.]

Notices

ATOMIC ENERGY COMMISSION

[Docket No. 50-348]

ALABAMA POWER CO.

Notice of Receipt of Application for Construction Permit and Facility License

Alabama Power Co., 600 North 18th Street, Birmingham, Ala. 35203, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application dated October 10, 1969, for a construction permit and facility license to authorize construction and operation of a pressurized water reactor on the applicant's approximately 1,850-acre site on the west side of the Chattahoochee River located about 16½ miles east of Dothan in Houston County, Ala.

The proposed reactor, designated by the applicant as the SEALA Nuclear Plant, Unit 1, is designed for initial operation at approximately 2,652 megawatts thermal with a net electrical output of approximately 829 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 23d day of October 1969.

For the Atomic Energy Commission.

PETER A. MORRIS,

Director,

Division of Reactor Licensing.

[F.R. Doc. 69-12905; Filed, Oct. 29, 1969; 8:45 a.m.]

[Docket No. 50-141]

STANFORD UNIVERSITY

Notice of Issuance of Amendment to Facility License

The Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 7 to Facility License No. R-60 dated September 28, 1961. The license authorizes Stanford University to possess, use and operate the pool-type heterogeneous, light water-moderated and water-reflected training and research reactor on the University's campus near Palo Alto, Calif., at power levels up to 10 kilowatts (thermal). The amendment authorizes the licensee to receive, possess, and use up to 2,000 kilograms of natural uranium (U^{235}) in experiments associated with the reactor.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings re-

quired by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of the publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated May 7, 1969, and supplements dated September 5, 1969, and October 6, 1969, (2) the amendment to facility license, and (3) the Safety Evaluation by the Division of Reactor Licensing, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of items (2) and (3) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 20th day of October 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,

Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 12906; Filed, Oct. 29, 1969; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Dockets 21130, 19355; Order 69-10-126]

NORTHWEST AIRLINES, INC.

Application for Certificate of Public Convenience and Necessity for Route 3

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of October 1969.

By Order 69-8-101, dated August 19, 1969, the Board set for further proceedings, pursuant to § 302.1406-1410 of the Board's procedural regulations, the application of Northwest Airlines, Inc. (Northwest), for amendment of restric-

tion 4¹ of its certificate of public convenience and necessity for Route 3² to permit: (a) Turnaround service between Detroit, on the one hand, and Milwaukee and Minneapolis/St. Paul, on the other hand; and (b) flights which originate at Detroit and terminate at Minneapolis/St. Paul, or which originate at Minneapolis/St. Paul and terminate at Detroit, to serve Madison, Rochester, or Chicago.

Northwest, in its application, proposes to provide four turnaround flights in the Detroit-Milwaukee market and four flights in the Detroit-Minneapolis/St. Paul market, in addition to one Minneapolis/St. Paul-Detroit round trip pursuant to its London interchange agreement with Pan American World Airways, Inc.³ Moreover, notwithstanding that Northwest is the only carrier in the Detroit-Milwaukee/Twin Cities markets without permanent authority to originate or terminate flights at Detroit,⁴ Northwest, pursuant to an exemption, is the only carrier providing any turnaround service.

Answers in support of Northwest's application have been filed by the Minneapolis/St. Paul Metropolitan Airports Commission, the Detroit Aviation Commission, and the State of Wisconsin. No answers in opposition have been filed.

Upon consideration of the pleadings and other relevant facts, we find that the public convenience and necessity require the amendment of restriction 4 of Northwest's certificate of public convenience and necessity for Route 3 to permit: (a) Turnaround service in the

¹ Restriction 4 was imposed to protect Capital Airlines, Inc. (since acquired by United Air Lines, Inc.), and requires, inter alia, flights which serve Chicago or Detroit to originate at the Twin Cities or a point west thereof and to terminate at New York or one of several other east coast points or vice versa. However, Northwest has been providing the turnaround service described herein pursuant to an exemption, Order E-28406, dated Feb. 27, 1968, which expires 90 days after a final decision in Docket 19355, a Subpart A 401 application which requests Detroit-Milwaukee/Twin Cities turnaround authority. This Subpart A application, in Docket 19355, is hereby dismissed as moot in view of the grant of the instant Subpart N application requesting the same authority.

² Filed as part of the original document.

³ Pursuant to its exemption authority, Northwest is presently providing one east-bound Milwaukee-Detroit flight, one west-bound Detroit-Milwaukee-Madison-Rochester-Twin Cities flight, and one Twin Cities-Detroit round trip pursuant to the interchange agreement. QRE, OAG, Oct. 1, 1969.

⁴ United Air Lines, Inc., has unrestricted nonstop authority in both markets and North Central was recently awarded unrestricted Detroit-Milwaukee nonstop authority and unrestricted Detroit-Twin Cities one-stop authority.

Detroit-Milwaukee market and in the Detroit-Minneapolis/St. Paul market; and (b) flights which originate at Detroit and terminate at Minneapolis/St. Paul or, which originate at Minneapolis/St. Paul and terminate at Detroit, to serve Madison, Rochester, or Chicago.

We find that grant of Northwest's application will enhance the carrier's operating flexibility and will enable the carrier to avoid uneconomic extensions of flights which would otherwise have to originate at an east coast point and terminate at Minneapolis/St. Paul. For example, in order to provide a prime-time westbound morning departure from Detroit to Milwaukee, the plane would have to depart from New York at about 6 a.m., a schedule not likely to attract many New York-Milwaukee and beyond passengers. Furthermore, the plane would have to continue on to Minneapolis/St. Paul from Milwaukee, thus increasing capacity in a market where both Northwest's and North Central Airlines, Inc.'s (North Central), load factors have been rather low.⁴

We further find that no other carrier will experience any substantial diversion by reason of the grant of Northwest's application. Significantly, no other carrier has objected to Northwest's application. Moreover, any diversion which may occur will probably be self-diversion since Northwest's share of the Detroit-Milwaukee/Twin Cities markets has exceeded 90 percent since 1964.

Accordingly, we find that the public convenience and necessity require the amendment of restriction 4 of Northwest's certificate of public convenience and necessity for Route 3 as described above. We also find that, for the purpose of determining a license fee in accordance with the schedule set forth in § 389.25 of the regulations, the annual gross transport revenue increase for the first year of operations resulting from the new certificate authority granted herein is estimated to be between \$1 million and \$5 million.

Accordingly, it is ordered, That:

1. An amended certificate of public convenience and necessity in the form attached hereto shall be issued to Northwest Airlines, Inc., for Route 3;
2. Said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on November 10, 1969, *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to § 389.21(b) of the regulations;
3. This proceeding be and it hereby is terminated; and
4. Northwest Airlines, Inc.'s application, in Docket 19355, be and it hereby is dismissed.

⁴ North Central's load factors on its Milwaukee-Twin Cities nonstop flights between November 1968 and May 1969 averaged 26 percent. CAB Form 41, Schedule T-5. Similarly, Northwest's load factors over the same segment averaged only 32 percent for the year ending May 30, 1969. Northwest company records.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-12970; Filed, Oct. 29, 1969;
8:49 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 69-239]

[Customs Delegation Order 35]

ORDER OF SUCCESSION OF PERSONS TO ACT AS COMMISSIONER OF CUSTOMS

OCTOBER 24, 1969.

By virtue of the authority vested in me by Treasury Department Order No. 129, Revision No. 2, dated April 22, 1955 (20 F.R. 2875), it is hereby ordered that the following officers of the Bureau of Customs, in the order of succession enumerated, shall act as Commissioner of Customs or when there is a vacancy in such office:

1. The Deputy Commissioner of Customs;
2. The Assistant Commissioner of Customs, Office of Regulations and Rulings.

This order supersedes the order of succession established in Delegation Order No. 31, dated September 28, 1967 (T.D. 67-231; 32 F.R. 13873).

[SEAL] MYLES J. AMBROSE,
Commissioner of Customs.

[F.R. Doc. 69-13016; Filed, Oct. 29, 1969;
10:29 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration IMPERIAL CHEMICAL INDUSTRIES LIMITED

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP OH2462) has been filed by Imperial Chemical Industries Limited, Dyestuffs Division, Hexagon House, Blackley, Manchester 9, England, proposing that § 121.2547 *Sanitizing solutions* (21 CFR 121.2547) be amended to provide for the safe use of an aqueous solution containing poly(imino(imidocarbonyl) imino (imidocarbonyl) imino-hexamethylene) hydrochloride, together with components generally recognized as safe, as a sanitizing solution on food processing equipment and utensils.

Dated October 22, 1969.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 69-12950; Filed, Oct. 29, 1969;
8:47 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF AGRICULTURE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Agriculture to fill by non-career executive assignment in the excepted service the position of Assistant Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,
Director, Bureau of
Management Services.

[F.R. Doc. 69-12935; Filed, Oct. 29, 1969;
8:47 a.m.]

GRANTS MANAGEMENT AND BUDGET OFFICER IN BOSTON RE- GIONAL OFFICE, DEPARTMENT OF HEALTH, EDUCATION, AND WEL- FARE

Manpower Shortage; Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on September 26, 1969, for a single position of Grants Management and Budget Officer, GS-301-13 in the Boston regional office of the Department of Health, Education, and Welfare, Boston, Mass. The finding is self-canceling when used.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,
Director, Bureau of
Management Services.

[F.R. Doc. 69-12937; Filed, Oct. 29, 1969;
8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by non-career executive assignment in the excepted service the position of Special Assistant for Environment and Conservation, Federal Highway Administration.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,
Director, Bureau of
Management Services.

[F.R. Doc. 69-12936; Filed, Oct. 29, 1969;
8:47 a.m.]

DENTAL HYGIENIST; MINNEAPOLIS-ST. PAUL, MINN., SMSA

Notice of Adjustment of Minimum Rate and Rate Range

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established a special minimum salary rate and rate range as follows:

GS-682 DENTAL HYGIENIST SERIES

Geographic Coverage: Minneapolis-St. Paul, Minn. SMSA

Effective Date: First day of the first pay period beginning on or after November 2, 1969

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-5	\$6,794	\$7,000	\$7,206	\$7,412	\$7,618	\$7,824	\$8,030	\$8,236	\$8,442	\$8,648

* Corresponding statutory rate: GS-5—fourth.

All new employees in the specified occupational level will be hired at the new minimum rate.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational level. An employee who immediately prior to the effective date was receiving basic compensation at one of the statutory rates shall receive basic compensation at the corresponding numbered rate authorized by this notice on or after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

Under the provisions of section 3-2b, Chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty, under 5 U.S.C. 5723, of new appointees to position cited.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.[F.R. Doc. 69-12948; Filed, Oct. 29, 1969;
8:47 a.m.]FEDERAL COMMUNICATIONS
COMMISSION

[Dockets Nos. 18708, 18709; FCC 69-1157]

DITMER BROADCASTING CO., INC.,
AND CARMINE BROADCASTING CO.Order Designating Applications for
Consolidated Hearing on Stated
Issues

In regard applications of Ditmer Broadcasting Co., Inc., St. Johns, Mich., requests: 92.1 mc. s., No. 221; 3.0 kw.; 126 feet, Docket No. 18708, File No. BPH-6667; David Allen Carmine, Dale Edgar Carmine, Frances Ward Carmine, doing business as Carmine Broadcasting Co., East De Witt, Mich., requests: 92.1 mc. s., No. 221; 2.20 kw.; 336 feet, Docket No. 18709, File No. BPH-6729; for construction permits.

1. The Commission has under consideration the above-captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference and a petition for reconsideration of the acceptance of the Carmine Broadcasting

Co. (Carmine) application filed by Ditmer Broadcasting Co. (Ditmer).

2. In its petition for reconsideration Ditmer argues that the Carmine application should not have been accepted for filing since East De Witt, the specified station location, is not a community within the meaning of the Commission's rules. The name East De Witt, according to Ditmer, was first used to describe the location of a gasoline station at the intersection of U.S. 27 and Round Lake Road, east of De Witt, and which is currently used to describe a 1-mile stretch of U.S. 27, but not any part of Round Lake Road. Ditmer has supplied additional information, including various affidavits, all tending to support the proposition that East De Witt is little more than a grouping of a few houses and business, not in any way functioning as a community. According to Ditmer, East De Witt is not recognized by the Post Office Department and has no government, civic groups, or schools. On the basis of this showing, un rebutted by Carmine, we believe that a substantial question has been raised as to whether East De Witt is a community. We do not believe, however, that Ditmer's proposed solution, dismissal of the Carmine application, is appropriate, and we will instead specify a suitable issue in the hearing to be held on these applications. In addition, we note that Carmine's choice of East De Witt for its station location would have the effect of providing 3.16 mv/m service to part of and 1 mv/m service to all of nearby and far larger Lansing, Mich. As a result, a Berwick issue will also be specified—Berwick Broadcasting Corp. 12 FCC 2d 8 (1968)—to determine whether the proposal is realistically for East De Witt or another larger community.

3. In Suburban Broadcasters, 30 FCC 951 (1961), our public notice of August 22, 1968, FCC 68-847, 13 RR 2d 1903, and City of Camden (WCAM), 18 FCC 2d 412 (1969), we indicated that applicants were expected to provide full information on their awareness of and responsiveness to local community needs and interests. In this case neither applicant appears to have contacted a representative cross-section of the area or adequately provided the comments regarding community needs obtained from such contacts. It should be noted, however, that Ditmer has provided satisfactory comments for the individuals already contacted, the only deficiency being the absence of comments from those in-

dividuals needed to complete the cross-section of the area. Nor has either of the applicants adequately provided a listing of specific programs responsive to specific community needs as evaluated. As a result, we are unable at this time to determine whether either of the applicants is aware of and responsive to the needs of the area. Accordingly, Suburban issues are required.

4. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining, pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service, a contingent comparative issue will also be specified.

5. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, because the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

6. It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine whether East De Witt is a community within the meaning of the Commission's rules and as a result whether the Carmine Broadcasting Co. proposal is in conformity with § 73.203 (b) of the Commission's rules.

(2) To determine whether the Carmine Broadcasting Co. proposal will realistically provide a local transmission facility for its specified station location or for another larger community; and in light thereof, whether this application should be considered under section 307 (b) of the Communications Act of 1934, as amended, as a proposal for East De Witt or some other larger community.

(3) To determine the efforts made by Ditmer Broadcasting Co. to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(4) To determine the efforts made by Carmine Broadcasting Co. to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(5) To determine the areas and populations which would receive FM service of 1 mv/m or greater intensity from the respective proposals together with the availability of other primary aural services in such areas.

(6) To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service.

(7) To determine, in the event it is concluded that a choice between applications should not be based solely on considerations relating to section 307(b), which of the proposals on a comparative

basis would better serve the public interest.

(8) To determine in the light of the evidence adduced pursuant to the foregoing issues, which if either of the applications for construction permit should be granted.

7. *It is further ordered*, That the petition for reconsideration filed by Ditmer Broadcasting Co. is granted to the extent indicated and in all other respects is denied.

8. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

9. *It is further ordered*, That the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: October 22, 1969.

Released: October 27, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-12939; Filed, Oct. 29, 1969;
8:47 a.m.]

[Docket No. 18707; FCC 69-1155]

FIDELITY BROADCASTING CORP. (WSLC)

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In regard application of Fidelity Broadcasting Corp. (WSLC), Clermont, Fla., has: 1340 kc., 250 w., S.H.; requests: 1340 kc., 250 w., 1 kw.-L.S. S.H., Docket No. 18707, File No. BP-17676; for construction permit.

1. The Commission has before it the above-captioned application for construction permit, and a petition to deny the application filed by Clearwater Radio, Inc., licensee of radio station WTAN, Clearwater, Fla.

2. According to data filed by Clearwater Radio, the subject proposal would cause interference within the daytime service area of WTAN involving 17,638 people, and since this interference would, in effect, modify the WTAN license, it appears necessary that the application be placed in hearing status with Clear-

water Radio, a party to the proceeding. Of related significance is the fact that a similar increase in daytime power by Station WTAN appears to be precluded by interference that would be caused to duly notified foreign assignments in violation of the North American Regional Broadcasting Agreement.

3. Except as indicated by the issues specified below, the applicant is qualified to construct and operate as proposed; however, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience and necessity and is of the opinion that it must be designated for hearing on the issues set forth below.

4. *Accordingly, it is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent order upon the following issues:

(1) To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WSLC and the availability of other primary service to such areas and populations.

(2) To determine whether the proposal of Station WSLC would cause objectionable interference to Station WTAN, Clearwater, Fla., and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

(3) To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

5. *It is further ordered*, That Clearwater Radio, Inc., licensee of Station WTAN, Clearwater, Fla., is made a party to this proceeding.

6. *It is further ordered*, That in the event of a grant, the construction permit shall contain the following conditions:

Permittee shall accept such interference as may be imposed by other existing 250 watt Class IV stations in the event they are subsequently authorized to increase power to 1000 watts.

Permittee shall submit with the application for license, antenna resistance measurements made in accordance with § 73.54 of the Commission's rules.

7. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

8. *It is further ordered*, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise

the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: October 22, 1969.

Released: October 27, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-12940; Filed, Oct. 29, 1969;
8:47 a.m.]

[Docket No. 18710; FCC 69-1158]

VOICE OF REASON, INC. (KICM)

Order Designating Application for Hearing on Stated Issues

In regard application of Voice of Reason, Inc. (KICM), Golden, Colo., requests: 1250 kc., 1 kw., DA, Day, Docket No. 18710, File No. BP-18553; for construction permit.

1. The Commission has before it the above-captioned and described application requesting permanent authority to operate Station KICM, Golden, Colo., by the Voice of Reason, Inc., which, since April 25, 1969, has been operating KICM under a temporary authorization granted pursuant to section 309(f) of the Communications Act of 1934, as amended.

2. Before reaching the ultimate determination with respect to the applicant's qualifications a question arises due to the fact that, sometime in June of 1968, the Voice of Reason, Inc., through its president, the Reverend Dr. Bill Beeny, entered into an "Agreement of Employment" and a "Lease Purchase Agreement" with a purported agent of the former licensee of KICM, George I. Norman, Jr., and Phillip B. Rosenthal, Joint Venturers, doing business as Norman Broadcasting. Following the signing of the agreements, the Voice of Reason's vice president, Fred Barton (also known as Fred Barton Coukart) assumed active management of Station KICM. The relationship between the former KICM licensee and the Voice of Reason continued until November of 1968, when the former licensee renounced the agreements and thereafter entered into other similar agreements with other parties. Barton, however, remained as station manager until KICM ceased operation on March 26, 1969, following the surrender of the KICM license by the former licensee.

4. On the basis of the information available to the Commission, it appears that arrangement between the Voice of Reason and Norman Broadcasting may have constituted a de facto relinquishment of control of KICM by Norman Broadcasting. If the arrangement did, in fact, constitute a relinquishment of control by Norman Broadcasting, it was done without prior Commission consent, and, therefore, in apparent violation of section 310(b) of the Communications Act. Accordingly, it will be determined in hearing whether an unauthorized

¹ Commissioner Robert E. Lee concurring in result. Commissioner Cox not participating.

² Commissioner Cox not participating.

transfer to the Voice of Reason did occur and, if so, the impact of the Voice of Reason's participation in the transfer on its qualifications to be a broadcast licensee.

5. As previously noted, KICM is now being operated by the Voice of Reason under a temporary authorization granted April 25, 1969, and extended for an additional 90 days on July 23, 1969. This authorization was granted pursuant to section 309(f) of the Communications Act and will expire on October 23, 1969. Inasmuch as the hearing instituted by the present action involves a question of the basic qualifications of the applicant, and since the general metropolitan area of which Golden is a part receives an abundance of broadcast services,¹ the Voice of Reason, Inc., will be required to cease the temporary operation of KICM at the expiration of its present authority pending the outcome of the hearing.

6. It appears that, except as indicated by the issues specified below, the applicant is qualified to operate Station KICM as proposed, but that, for the reason indicated above, the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below.

7. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine whether the Voice of Reason, Inc., through its principals participated in an unauthorized transfer of control of Station KICM, Golden, Colo., in violation of section 310(b) of the Communications Act of 1934, as amended, and if so, the impact of such participation on the qualifications of the Voice of Reason, Inc., to be a broadcast licensee.

(2) To determine, in the light of the evidence adduced pursuant to the foregoing issue, whether a grant of the application would serve the public interest, convenience, and necessity.

8. It is further ordered, That, to avail itself of the opportunity to be heard, the applicant, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

9. It is further ordered, That, the applicant shall, pursuant to section 311 (a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and

shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

10. It is further ordered, That, the Voice of Reason, Inc., shall cease the KICM operation at the close of the broadcast day on October 23, 1969, pending the outcome of the hearing.

Adopted: October 22, 1969.

Released: October 27, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-12941; Filed, Oct. 29, 1969;
8:47 a.m.]

FEDERAL MARITIME COMMISSION

WEST LINE LTD.

Notice of Issuance of Certificate [Casualty]

Security for the protection of the public; Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR 540):

West Line, Ltd. (formerly Alaska Cruise Lines, Ltd.), 900 IBM Building, Seattle, Wash. 98101.

Dated: October 27, 1969.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-12946; Filed, Oct. 29, 1969;
8:47 a.m.]

WEST LINE LTD.

Notice of Issuance of Certificate [Performance]

Security for the protection of the public; Indemnification of Passengers for Nonperformance of Transportation.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

West Line, Ltd. (formerly Alaska Cruise Lines, Ltd.), 900 IBM Building, Seattle, Wash. 98101.

West Line, Inc., 900 IBM Building, Seattle, Wash. 98101.

² Concurring statement of Commissioner Robert T. Bartley filed as part of the original document. Commissioner Cox not participating.

Dated: October 27, 1969.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-12947; Filed, Oct. 29, 1969;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. S-478]

RICHARD F. HAUGEN

Notice of Loan Application

Richard F. Haugen, 3226 17th Avenue South, Seattle, Wash. 98144, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 46-foot length overall wood vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,
Chief,

Division of Financial Assistance.

[F.R. Doc. 69-12927; Filed, Oct. 29, 1969;
8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3072, etc.]

HUMBLE OIL & REFINING CO. ET AL.

Findings and Order

OCTOBER 20, 1969.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, dismissing application, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, substituting respondents, making successors co-respondents, redesignating proceedings, making rate change effective, accepting agreements and undertakings for filing, requiring filing of agreements and undertakings, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to

¹ In the Denver urbanized area, there are, in addition to KICM, 17 standard broadcast stations, 11 FM broadcast stations and seven authorized TV stations.

section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate, abandon, add to, or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that sales from areas for which area rates have been determined are authorized to be made at or below the applicable area base rates adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Aztec Oil & Gas Co., Applicant in Docket No. CI61-760, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Hidalgo Gas Production Corp. FPC Gas Rate Schedule No. 3. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI69-125. On March 7, 1969, Hidalgo filed with the Commission a notice of change in rate under its FPC Gas Rate Schedule No. 3. By order issued April 3, 1969, in Docket No. RI69-660 et al., the Commission suspended the proposed change in Docket No. RI69-665 until September 7, 1969, and thereafter until made effective. The notice of change was designated as Supplement No. 3 to the subject rate schedule. On August 28, 1969, Aztec filed a motion to make the change in rate effective subject to refund. Therefore, Aztec will be made co-respondent in the proceeding pending in Docket No. RI69-125 and will be substituted in lieu of Hidalgo as respondent in the proceeding pending in Docket No. RI69-665; the proceedings will be redesignated accordingly; and the change in rate will be made effective subject to refund. Aztec has heretofore filed a general agreement and undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

Jerome P. McHugh et al., Applicants in Docket No. CI68-589, propose to continue in part the sale of natural gas heretofore authorized in Docket No. G-10686 to be made pursuant to Northwest Production Corp. (Operator) et al., FPC Gas Rate Schedule No. 1. The presently effective rate under Northwest's rate schedule, which is also on file with the Commission as Applicant's FPC Gas Rate Schedule No. 3, is in effect subject to refund in Docket No. RI64-398. Applicants are presently co-respondents in

said proceeding and have on file with the Commission a surety bond to assure refunds of any amounts collected by them in excess of the amount determined to be just and reasonable in said proceeding with respect to sales from other properties theretofore dedicated to Northwest's rate schedule. Therefore, Applicants will be required to file a rider to their surety bond to assure the refund of any amounts collected in excess of the amount determined to be just and reasonable in said proceeding with respect to sales from the additional acreage.

Petro-Lewis Corp., Applicant in Docket No. CI68-1285, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Border Exploration Co. FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI67-169. In its certificate application Applicant requests to be made a co-respondent in said proceeding and indicates that it intends to assume the refund obligation from October 10, 1967. Therefore, Applicant will be substituted in lieu of Border as co-respondent in the proceeding pending in Docket No. RI67-169; the proceeding will be redesignated accordingly; Applicant will be required to file an agreement and undertaking to assure the refund of any amounts collected by Border and itself in excess of the amount determined to be just and reasonable in said proceeding; and the surety bond filed by Border will be discharged.

Imperial-American Management Co., Applicant in Docket No. CI69-896, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-19837 to be made pursuant to Estate of Russell Maguire (Operator), et al., FPC Gas Rate Schedule No. 5. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under the Estate of Russell Maguire's rate schedule is in effect subject to refund in Docket No. RI62-454. Applicant has filed an agreement and undertaking in said proceeding to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Applicant will be made a co-respondent in the proceeding pending in Docket No. RI62-454; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

Tenneco Oil Co., Applicant in Docket No. CI70-48, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-12273 to be made pursuant to Pan American Petroleum Corp. (Operator) et al., FPC Gas Rate Schedule No. 195. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under Pan American's rate schedule is in effect subject to refund in Docket No. RI69-374. The rate for sales prior to

January 1, 1969, was in effect subject to refund in Docket No. RI64-533. Therefore, Tenneco will be made a co-respondent in the proceedings pending in Dockets Nos. RI64-533 and RI69-374; the proceedings will be redesignated accordingly; and Tenneco will be required to file agreements and undertakings to assure the refunds of any amounts collected by it in excess of the amounts determined to be just and reasonable in said proceedings.

Longhorn Production Co., Applicant in Docket No. CI70-56, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. CI65-1272 to be made pursuant to Maynard Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 4. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under Maynard's rate schedule is in effect subject to refund in Docket No. RI67-299. Longhorn has filed a motion to be made a co-respondent in said proceeding, together with an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Longhorn will be made a co-respondent in the proceeding pending in Docket No. RI67-299; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

Sun Oil Co. (DX Division), Applicant in Docket No. CI70-60, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-10670 to be made pursuant to Tenneco Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 181. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of Applicant. The presently effective rate under Tenneco's rate schedule is in effect subject to refund in Docket No. RI65-453. Therefore, Applicant will be made a co-respondent in the proceeding pending in Docket No. RI65-453; the proceeding will be redesignated accordingly; and Applicant will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the *FEDERAL REGISTER*, a petition to intervene by The Brooklyn Union Gas Co. was filed in Docket No. CI69-1234, in the matter of the application filed on June 30, 1969, in said docket. The petition to intervene has been withdrawn, and no other petitions to intervene, notices of intervention, or protests to the granting of any of the applications have been filed.

At a hearing held on October 10, 1969, the Commission on its own motion received and made a part of the record in

this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record:

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the application filed by John H. Hill in Docket No. CI69-896 on March 17, 1969, should be dismissed as moot.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered and conditioned.

(7) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(8) The abandonments proposed by Applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates here-

before issued to Applicants relating to the abandonments hereinafter permitted and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Aztec Oil & Gas Co. should be made a co-respondent in the proceeding pending in Docket No. RI69-125 and should be substituted in lieu of Hidalgo Gas Production Corp. as respondent in the proceeding pending in Docket No. RI69-665, that said proceedings should be redesignated accordingly, and that the proposed change in rate suspended in Docket No. RI69-665 should be made effective subject to refund.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Jerome P. McHugh, et al., should be required to file a rider to their surety bond in Docket No. RI64-398 to assure the refund of any amounts collected by them in excess of the amount determined to be just and reasonable in said proceeding with respect to sales from properties acquired pursuant to the assignment designated as Supplement No. 4 to their FPC Gas Rate Schedule No. 3.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Petro-Lewis Corp. should be substituted in lieu of Border Exploration Co. as co-respondent in the proceeding pending in Docket No. RI67-169, that said proceeding should be redesignated accordingly, that Petro-Lewis should be required to file an agreement and undertaking, and that the surety bond filed by Border should be discharged.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Imperial-American Management Co. should be made a co-respondent in the proceeding pending in Docket No. RI62-454, that said proceeding should be redesignated accordingly, and that the agreement and undertaking filed by Imperial-American should be accepted for filing.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Tenneco Oil Co. should be made co-respondent in the proceedings pending in Dockets Nos. RI64-533 and RI69-374, that said proceedings should be redesignated accordingly, and that Tenneco should be required to file agreements and undertakings.

(15) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Longhorn Production Co. should be made a co-respondent in the proceeding pending in Docket No. RI67-299, that said proceeding should be redesignated accordingly, and that the agreement and undertaking filed by Longhorn should be accepted for filing.

(16) It is necessary and appropriate in carrying out the provisions of the

Natural Gas Act that Sun Oil Co. (DX Division) should be made a co-respondent in the proceeding pending in Docket No. RI65-453, that said proceeding should be redesignated accordingly, and that Sun should be required to file an agreement and undertaking.

(17) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by Applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on certain applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d)(3) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date indicated in the tabulation herein.

(E) The initial rate for the sale authorized in Docket No. CI61-1429 shall be the applicable area base rate prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality of gas, or the contract rate, whichever is lower. If the quality of the gas delivered deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to section 4 of the Natural Gas Act: *Provided, however*, That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of a notice of change in rate. Within 90 days from the date of initial delivery Applicant shall file a rate schedule quality statement in the form prescribed in Opinion No. 468-A.

(F) Applicant in Docket No. CI70-56 shall file an estimated billing statement for the first month's service as required by the regulations under the Natural Gas Act.

(G) The initial rate for the sale authorized in Docket No. CI62-1251 shall be 15 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement.

(H) The application filed by John H. Hill in Docket No. CI69-896 on March 17, 1969, is dismissed as moot.

(I) The order issuing a certificate in Docket No. G-3072 is amended by authorizing the proposed increase in exchange volumes from 15,000 Mcf per day to 28,000 Mcf per day.

(J) The orders issuing certificates in Dockets Nos. G-12244, CI61-1429, CI62-1251, CI64-1288, CI68-589, and CI68-1057 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(K) The order issuing a certificate in Docket No. CI68-1166 is amended to include the interest of the pipeline co-owner, Southern Natural Gas Co., and the related rate schedule is redesignated as Franks Petroleum Inc. (Operator) et al. The provisions of § 154.91(a) of the Commission's regulations are waived to permit the certificate to include the interest of Southern Natural Gas Co.

(L) The orders issuing certificates in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	New certificate and/or amendment to add acreage
G-4825	CI70-170
G-10670	CI70-60
G-10686	CI68-589
G-12273	CI70-48
G-13633	CI70-170
G-19837	CI69-896
CI64-1405	CI70-90
CI65-1272	CI70-56

(M) The orders issuing certificates in Dockets Nos. CI61-760, CI65-369, CI66-589, and CI68-1285 are amended by substituting the successors in interest as certificate holders.

(N) The order issuing a certificate in Docket No. G-1972 is amended to reflect the change in name from Jane Clayton Oakes (Operator) et al., to Jane Clayton Russell (Operator) et al. The name of the respondent, Jane Clayton Oakes (Operator) et al., in the proceeding pending in Docket No. RI67-229 is changed to Jane Clayton Russell (Operator) et al., and the proceeding is redesignated accordingly.

(O) Permission for and approval of the abandonment of service by Applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(P) Permission for and approval of the abandonments in Dockets Nos. CI70-130, CI70-164, and CI70-165 shall not be construed to relieve Applicants of any refund obligations in the related rate suspension proceedings pending in Dockets Nos. RI60-16, RI60-193, and RI67-127, respectively.

(Q) The certificates heretofore issued in Dockets Nos. G-6344, G-6960, G-9882, G-14597, G-17960, CI62-173, CI64-416, CI65-163, and CI68-107 are terminated.

(R) Aztec Oil & Gas Co. is made a co-respondent in the proceeding pending in Docket No. RI69-125 and substituted in lieu of Hidalgo Gas Production Corp. as respondent in the proceeding pending in Docket No. RI69-665, and said proceedings are redesignated accordingly. Aztec shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(S) The rates, charges, and classifications set forth in Supplement No. 3 to Aztec Oil & Gas Co. FPC Gas Rate Schedule No. 31 shall be effective subject to refund as of September 7, 1969. Said rates shall be charged and collected as of the effective date subject to any future orders of the Commission in Docket No. RI69-665.

(T) Within 30 days from the issuance of this order, Jerome P. McHugh et al., shall file a rider to their surety bond filed in Docket No. RI64-398 to increase the principal amount of said bond to \$2,600 to assure the refund of any amounts collected by them, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such rider shall be deemed to have been accepted for filing. The surety bond, with rider attached thereto, shall remain in full force and effect until discharged by the Commission.

Jerome P. McHugh et al., shall comply with the refunding and reporting procedure required by Natural Gas Act and § 154.102 of the regulations thereunder.

(U) Petro-Lewis Corp. is substituted in lieu of Border Exploration Co. as co-respondent in the proceeding pending in Docket No. RI67-169, and said proceeding is redesignated accordingly. Petro-Lewis shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(V) Within 30 days from the issuance of this order, Petro-Lewis Corp. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refund of any amounts collected by Border Exploration Co. and itself, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in Docket No. RI67-169. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(W) The surety bond filed by Border Exploration Co. in Docket No. RI67-169 is discharged.

(X) Imperial-American Management Co. is made a co-respondent in the proceeding pending in Docket No. RI62-454, the proceeding is redesignated accordingly, and the agreement and undertaking filed by Imperial-American in said proceeding is accepted for filing. Imperial-American shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(Y) Tenneco Oil Co. is made co-respondent in the proceedings pending in Docket Nos. RI64-533 and RI69-374, and said proceedings are redesignated accordingly. The effective rates for sales made by Tenneco pursuant to its FPC Gas Rate Schedule No. 257 are 12.2295 cents per Mcf at 15.025 p.s.i.a. subject to refund in Docket No. RI64-533 prior to January 1, 1969, and 13.2486 cents per Mcf at 15.025 p.s.i.a. subject to refund in Docket No. RI69-374 as of January 1, 1969. Tenneco shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(Z) Within 30 days from the issuance of this order, Tenneco Oil Co. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refunds of any amounts collected by it, together with interest at

the rate of 7 percent per annum, in excess of the amounts determined to be just and reasonable in Dockets Nos. RI64-533 and RI69-374. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(AA) Longhorn Production Co. is made a co-respondent in the proceeding pending in Docket No. RI67-299, the proceeding is redesignated accordingly, and the agreement and undertaking filed by Longhorn in said proceeding is accepted for filing. Longhorn shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(BB) Sun Oil Co. (DX Division) is made a co-respondent in the proceeding pending in Docket No. RI65-453, and said proceeding is redesignated accordingly. Sun shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(CC) Within 30 days from the issuance of this order, Sun Oil Co. (DX Division) shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(DD) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-3672 7-28-69 ¹	Humble Oil & Refining Co.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., acreage in Starr County, Tex.	Amendment 6-26-69 ^{1,2}	11	34
G-12344 D 3-11-68	Texasco, Inc. (Operator) et al.	Cities Service Gas Co., Northeast Waynoka Field, Woods County, Okla.	Letter agreement 10-11-67 ^{3,4}	161	13
G-16712 7-16-69 ¹	Jane Clayton Russell (Operator) et al. (formerly Jane Clayton Oakes (Operator) et al.)	Phillips Petroleum Co., West Panhandle Field, Gray County, Tex.	Jane Clayton Oakes (Operator) et al., FPC GRS No. 1.	1	-----
CI61-760 E 5-19-69 ⁵	Artec Oil & Gas Co. (successor to Hidalgo Gas Production Corp.)	El Paso Natural Gas Co., Artec-Hill Wells Nos. 1, 2, and 3, Blanco Mesa Verde Pool, San Juan County, N. Mex.	Supplemental Nos. 1-6. Effective date: 12-7-68. Hidalgo Gas Production Corp., FPC GRS No. 3.	1	1-6
CI61-1429 C 7-25-69 ⁶	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co. (Operator) et al.	El Paso Natural Gas Co., South Leonard Queen Field, Lea County, N. Mex.	Supplemental Nos. 1-3. Notice of succession 5-15-69.	31	1-3
CI62-1251 C 7-24-69 ⁷	do.	Arkansas Louisiana Gas Co., Ranger Anticline Field, Yell County, Ark.	Assignment 5-5-69 ⁷ . Effective date: 5-1-69.	31	4
CI64-1288 C 8-11-69 ⁸ as amended 8-20-69 ¹¹	Continental Oil Co.	El Paso Natural Gas Co., Blanco-Pictured Cliffs Field, Rio Arriba County, N. Mex.	Supplemental agreement 7-22-69 ⁹	51	28
CI65-309 E 8-6-69	PetroDynamics, Inc. (Operator) et al. (successor to Jas. F. Smith).	Northern Natural Gas Co., Walkemeyer Field, Stevens County, Kans.	Jas. F. Smith, FPC GRS No. 14. Supplemental Nos. 1-2. Notice of succession (Undated).	17	-----
CI65-881 (G-17960) B 3-8-65	Turnbull & Zoch Drilling Co. (Operator) et al.	Florida Gas Transmission Co., Monte Christo Field, Hidalgo County, Tex.	Effective date: 7-2-68. Notice of cancellation 2-16-65 ¹²	1	2
CI66-589 E 8-4-69	PetroDynamics, Inc. (Operator) et al. (successor to Jas. F. Smith).	Cities Service Gas Co., North Yellowstoe Field, Comanche County, Kans.	Jas. F. Smith, FPC GRS No. 19. Notice of succession (Undated).	18	-----
CI68-589 (G-10686) F 6-30-69	Jerome P. Mellough et al.	El Paso Natural Gas Co., Ignacio Dakota Field, La Plata County, Colo.	Effective date: 7-2-68. Assignment 5-15-69 ¹³ . Effective date: 5-15-69.	3	4
CI68-1057 C 7-30-69 ¹⁴	Aztec Oil & Gas Co.	El Paso Natural Gas Co., Aztec Pictured Cliffs Field, San Juan County, N. Mex.	Supplemental agreement 7-15-69 ¹⁵	24	2
CI68-1166 C 8-14-69 ¹⁶ 14	Franks Petroleum Inc. (Operator) et al.	United Gas Pipe Line Co., West Brycefield Field, Blenville Parish, La.	Contract 5-2-69 ¹⁶	9	4
CI68-1283 E 7-18-69	Petro-Lewis Corp. (successor to Border Exploration Co.)	El Paso Natural Gas Co., East Boundary Butte Field, Apache County, Ariz.	Border Exploration Co., FPC GRS No. 1. Supplement No. 1. Notice of succession 7-9-69.	1	-----
CI69-866 (G-19837) F 7-22-69	Imperial-American Management Co. (successor to Estate of Russell Maguire (Operator) et al.)	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Moene Field, Beaver County, Okla.	Assignment 7-10-68 ¹⁷ . Effective date: 5-1-68. Contract 3-21-60 ¹⁸ . Assignment 10-12-59.	1	2
CI69-1234 A 6-30-69 ¹⁹	Mallard Drilling Corp.	United Gas Pipe Line Co., North Holly Field, De Soto Parish, La.	Amendment 3-14-62. Assignment 2-25-67. Assignment 2-18-69 ¹⁹ . Effective date: 4-1-69.	2	1
CI69-1246 A 6-20-69 ²⁰	R. H. Carnes	United Fuel Gas Co., Elk District, Kanawha County, W. Va.	Contract 24-69. Recording supplement 6-24-69 ²⁰	1	1
CI70-48 (G-12273) F 7-9-69	Tenneco Oil Co. (successor to Pan American Petroleum Corp. (Operator) et al.)	El Paso Natural Gas Co., Blanco Pictured Cliffs Field, San Juan County, N. Mex.	Contract 3-13-57 ²¹ . Letter agreement 7-23-58. Letter agreement 7-5-60. Assignment 11-1-67 ²² . Effective date: 11-1-67.	257	-----

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No. Supp.
C170-96 (G-4900) F 7-15-69	Longhorn Production Co. (successor to Marward Oil Co. (Operator) et al.)	Natural Gas Pipeline Co. of America, acreage in Wise County, Tex.	Contract 4-10-63 ^a Letter agreement 4-30-63 ^a	8
C170-97 (G-4901) F 7-20-69	San Oil Co. (DX Division) (successor to Texaco Oil Co.)	Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla.	Contract 6-15-56 ^a Assignment 1-10-60 ^a Effective date: 1-1-60 ^a	302
C170-98 (G-4902) F 7-20-69	Summit International Petroleum Corp. (successor to Steve Goose (Operator) et al.)	Arkansas Louisiana Gas Co., Arkansas Basin Area, Haskell County, Okla.	Contract 3-30-64 ^a Assignment 3-30-65 ^a Assignment 10-1-65 ^a Assignment 12-15-65 ^a Assignment 1-28-66 ^a Assignment 3-9-69 ^a Assignment 5-20-69 ^a	54
C170-107 (G-4903) B 8-4-69	T. F. Hodges (Operator) et al.	Texas Eastern Transmission Corp., South Westlake Field, Goliad County, Tex.	Notice of cancellation 7-31-63 ^a	6
C170-108 (G-4904) B 7-30-69	Gaffey Oil Co. (Operator) et al.	Arkansas Louisiana Gas Co., Rodessa Field, Caddo Parish, La.	Notice of cancellation 7-28-60 ^a	2
C170-115 (G-4905) A 8-7-69	Kenneth D. Luff et al.	Western Transmission Corp., Savery Field, Carbon County, Wyo.	Contract 6-30-60 ^a	4
C170-116 (G-4906) A 8-8-69	Harding Brothers Oil & Gas Co.	Valley Gas Transmission, Inc., Martine Field, Goliad County, Tex.	Contract 7-18-60 ^a	1
C170-118 (G-4907) A 8-8-69	Sun Oil Co.	Panhandle Eastern Pipe Line Co., Morse Field, Hansford County, Tex.	Contract 7-15-60 ^a	250
C170-120 (G-4908) A 8-8-69	Shenestre Oil & Gas Co.	Consolidated Gas Supply Corp., Salt Lake District, Braxton County, W. Va.	Contract 1-10-60 ^a	3
C170-121 (G-4909) A 8-8-69	Burnthorpe Oil & Gas Co.	Consolidated Gas Supply Corp., Glenville and Salt Lake Districts, Glazier and Braxton Counties, W. Va.	Contract 4-24-58 ^a	3
C170-122 (G-4910) A 8-8-69	Lock 3 Oil, Coal & Dock Company et al.	Consolidated Gas Supply Corp., Elk District, Harrison County, W. Va.	Contract 12-30-65 ^a	17
C170-123 (G-4911) A 8-8-69	Royal Oil & Gas Corp.	Consolidated Gas Supply Corp., Phillip District, Barbour County, W. Va.	Contract 12-5-65 ^a	2
C170-130 (G-4912) B 8-11-69	Texas, Inc.	Ranquette Gas Co., a division of Crockett Consolidated Corp., East Tuff Field, San Patricio County, Tex.	Notice of cancellation 8-7-60 ^a	220
C170-136 (G-4913) A 8-4-69	M. H. Wadmon Estate, et al.	United Fuel Gas Co., acreage in Mingo County, W. Va.	Contract 3-28-44 ^a Letter agreement 1-20-53 ^a Letter agreement 10-21-53 ^a Letter agreement 12-15-53 ^a Notice of cancellation 8-7-60 ^a	1
C170-138 (G-4914) B 8-11-69	Success Oil & Gas Co., Inc.	United Gas Pipe Line Co., Deblco Field, Richland Parish, La.	Notice of cancellation 8-8-60 ^a	1
C170-139 (G-4915) B 8-12-69	The Jade Oil Co. et al.	United Gas Pipe Line Co., Helms Field, Harris County, Tex.	Contract 6-17-60 ^a	2
C170-140 (G-4916) A 8-12-69	Stanley N. Brown	Consolidated Gas Supply Corp., Troy District, Glazier County, W. Va.	Contract 3-21-60 ^a	30
C170-142 (G-4917) A 8-12-69	Paul F. Starr, agent for William D. Riddle, d.b.a. Riddle-Rollo, Globe Natural Gas Co.	Consolidated Gas Supply Corp., Salt Lake District, Braxton County, W. Va.	Contract 6-4-60 ^a	1
C170-143 (G-4918) A 8-12-69				

See footnotes at end of table.

^a Amendment to the certificate for authorization to increase daily volumes exchanged with Trunkline Gas Co. from 15,000 Mcf to 28,000 Mcf. Trunkline in turn delivers equivalent volumes to Tennessee Gas Pipeline Co. for Humble's account.

^b Amends exchange agreement to increase exchange volumes from 15,000 Mcf per day to 28,000 Mcf per day.

^c Effective date: Date of this order.

^d Release average since it is not economical for the purchaser to connect its facilities to the subject well. Cities Service advised in a letter dated Apr. 3, 1969, that the gas involved amounts to approximately 17 Mcf per day based on a reserve estimate of 500,000 Mcf and seller's 25 percent interest.

^e Amendment to the certificate to reflect the change in name.

^f The notice of application issued June 4, 1969, stated erroneously that the proposed initial rate is 13 cents per Mcf at 15,000 p.s.i.a. The correct initial rate is 13.496 cents per Mcf at 15,000 p.s.i.a.

- From Hidalgo Gas Production Corp. to Artee Oil & Gas Co.
 Filed by Texas Pacific Oil Co., Inc., successor to Applicant.
 Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).
 Rate of 16.015 cents per Mcf effective subject to refund for other acreage under rate schedule. By letter dated Aug. 12, 1969 (filed Aug. 15, 1969), Applicant stated willingness to accept a rate of 15 cents per Mcf for acreage covered by this application.
 Jan. 1, 1970, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.
 Source of gas depleted.
 From F. H. Stevens, Jr., and Don E. Weber to McHugh. No certificate filings were made by Stevens or Weber. The acreage is covered under a contract dated June 15, 1956, on file as Northwest Production Corp. (Operator) et al., FPC GRS No. 1 and McHugh FPC GRS No. 3.
 Amendment to the certificate filed to cover interest of pipeline coowner.
 Dedicates interest of coowner, Southern Natural Gas Co., in Cummings No. 1 Well (120 acres of 640 acre unit).
 From Border Exploration Co. to Petro-Lewis Co.
 John H. Hill filed on Mar. 17, 1969, in Docket No. C169-896 to continue in part the sales of natural gas heretofore authorized to be made pursuant to the Estate of Russell Maguire (Operator) et al., but never received certificate authorization. Due to the filing made by Imperial-American in Docket No. C169-896 the application filed by Hill on Mar. 17, 1969, will be dismissed as moot.
 Contract as amended is on file as Estate of Russell Maguire (Operator) et al., FPC GRS No. 5.
 Conveys acreage from the Estate of Russell Maguire to John H. Hill.
 Conveys acreage from John H. Hill to Imperial-American Management Co.
 Sale being rendered without prior Commission authorization.
 On file as Pan American Petroleum Corp. (Operator) et al., FPC GRS No. 195.
 From Pan American Petroleum Corp. to Tennessee Oil Co.
 On file as Maynard Oil Co. (Operator) et al., FPC GRS No. 4.
 From Maynard Oil Co. to Longhorn Production Co.
 Application previously noticed (July 18, 1969, in Dockets Nos. G-3072 et al.) as a complete succession in Docket No. G-10670. Further review of the application reveals that the succession is partial and has been reassigned Docket No. C170-00.
 Between Wilcox Oil Co. and the purchaser. Also on file as Tennessee Oil Co. (Operator) et al., FPC GRS No. 181.
 Conveys acreage from Tennessee (successor to Wilcox) to Sun Oil Co. (DX Division).
 Between Steve Gose et al., and Arkansas Louisiana Gas Co.; on file as Steve Gose (Operator) et al., FPC GRS No. 1.
 Application erroneously stated name of Applicant as Calco, Inc.
 Production of gas no longer economically feasible.
 Sale being rendered on June 7, 1954. Contract No. 568 is the currently effective agreement for this sale. It supersedes the original agreement which is dated May 2, 1954.
 Currently on file as Cleary Petroleum Corp. FPC GRS No. 29.
 Currently on file as Union Producing Co. FPC GRS No. 210.
 Assigns acreage from Union Producing Co. and A. J. Hodges Industries, Inc., to Par Oil Corp.
 Assigns acreage from Par Oil Corp. to Applicant.
 Currently on file as A. J. Hodges Industries, Inc., FPC GRS No. 8.

Suggested general undertaking in accordance with Order No. 377:

BEFORE THE FEDERAL POWER COMMISSION
 (Name of Respondent -----)

GENERAL UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees to comply with the refunding and reporting provisions of section 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to any present and future rate increases suspended under section 4(e) of the Natural Gas Act and collected subject to refund thereunder and has caused this undertaking to be executed and sealed in its name by a duly authorized officer this ----- day of ----- 196....

(Name of Respondent)

By -----

Attest:

[F.R. Doc. 69-12840; Filed, Oct. 29, 1969; 8:45 a.m.]

[Docket No. RP70-12]

ARKANSAS LOUISIANA GAS CO.

Notice of Proposed Change in Rates

OCTOBER 21, 1969.

Take notice that Arkansas Louisiana Gas Co., on October 14, 1969, tendered for filing a proposed change in its FPC Gas Rate Schedule No. X-26, to become effective on November 14, 1969. The proposed rate increase of three quarters of 1 cent per Mcf would increase the charges to Cities Service Gas Co., the sole purchaser under the rate schedule, by approximately \$273,750 per year. The proposed increase is applicable to the gas sold under the above designated contractual form of rate schedule as approved by the Commission in Opinion

No. 527, in Docket No. CP66-226 et al., 38 FPC 364.

A copy of the filing was served on Cities Service Gas Co.

Any person desiring to be heard or to make a protest with reference to said application should on or before November 10, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
 Secretary.

[F.R. Doc. 69-12908; Filed, Oct. 29, 1969; 8:45 a.m.]

[Docket No. CP70-95]

ATLANTIC SEABOARD CORP.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 14, 1969, Atlantic Seaboard Corp. (applicant), Post Office Box 1273, Charleston, W. Va. 25325, filed in Docket No. CP70-95 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and approval of the abandonment of certain natural gas facilities, all as more fully set forth in the application which is on

file with the Commission and open to public inspection.

Applicant proposes to construct and operate three segments of 36-inch gas transmission pipeline loop totalling 21.8 miles on its high pressure transmission system and to install and operate a total of 5,865 additional horsepower at two existing compressor stations and to abandon approximately 25.8 miles of its existing 20-inch gas transmission pipeline.

Applicant states that the proposed facilities are necessary to transport additional volumes purchased from United Fuel Gas Co. to meet applicant's increased gas requirements for the 1970-71 winter season.

Applicant further states that the facilities proposed to be abandoned are no longer necessary in meeting its peak day requirements during the 1970-71 winter season.

The total additional investment required by the above project is \$7,183,700, which will be financed through the issuance and sale of promissory notes and common stock to the Columbia Gas System, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
 Secretary.

[F.R. Doc. 69-12909; Filed, Oct. 29, 1969; 8:45 a.m.]

[Docket No. CP70-98]

CITY OF ALTA VISTA, KANS., AND MICHIGAN WISCONSIN PIPELINE CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 15, 1969, the city of Alta Vista, Kans. (applicant) 68334, filed in Docket No. CP70-98 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Michigan Wisconsin Pipeline Co. (respondent) to sell and deliver volumes of natural gas to applicant and the city of Dwight, Kans., at a point of interconnection of respondent's main transmission line and applicant's proposed delivery system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate municipal gas distribution systems within its borders and within those of the city of Dwight, Kans., and 20 miles of 3½-inch O.D. lateral pipeline to a point of interconnection with respondent's main transmission line. Applicant's 3d year peak day and annual natural gas requirements are 953 Mcf and 68,500 Mcf, respectively. The total estimated cost of the proposed facilities is \$295,000 to be financed by issuance of gas revenue bonds and general obligation bonds.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 21, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12910; Filed, Oct. 29, 1969;
8:45 a.m.]

[Docket No. CP70-91]

COLUMBIA GULF TRANSMISSION CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 14, 1969, Columbia Gulf Transmission Co. (applicant), 3805 West Alabama Avenue, Houston, Tex. 77027, filed in Docket No. CP70-91 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the transportation of natural gas in interstate commerce, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant proposes to replace a 9,000 horsepower gas turbine-compressor unit now in service at Applicant's Hampshire, Tenn., compressor station, by a newly developed unit rated at 12,500 horsepower to effect operating efficiencies at the Hampshire station.

The total estimated cost of the proposed facilities will be \$562,900.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12911; Filed, Oct. 29, 1969;
8:45 a.m.]

[Docket No. CP70-92]

COLUMBIA GULF TRANSMISSION CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 14, 1969, Columbia Gulf Transmission Co. (applicant), 3805 West Alabama Avenue, Houston, Tex. 77001, filed in Docket No. CP70-92 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes the following:

(1) Construction and operation of approximately 204 miles of 36-inch pipeline in 10 loops.

(2) Installation and operation of turbine-driven centrifugal compressor units totalling 40,000 horsepower.

(3) Construction and operation of a new mainline measuring station near Means, Ky.

(4) Alteration of piping at various existing compressor stations and installation of 30-inch centrifugal compressors to replace existing 24-inch centrifugal compressors at four compressor stations.

(5) Construction and operation during calendar year 1970 of "budget-type" gas supply facilities to take into its pipeline system gas purchased by United Fuel Gas Co. Such facilities are to cost not more than \$7 million in the aggregate, and no single project is to exceed \$1,500,000.

Applicant states that the proposed projects are necessary to enable it to meet the estimated increased requirements of United Fuel Gas Co. for the 12-month period beginning November 1, 1970.

The total estimated cost of the proposed facilities is \$70,417,500, to be financed through promissory notes and common stock.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 17, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12912; Filed, Oct. 29, 1969;
8:45 a.m.]

[Docket No. CP70-81]

EL PASO NATURAL GAS CO.**Notice of Application; Correction**

OCTOBER 23, 1969.

In the notice of application, issued October 10, 1969 and published in the *FEDERAL REGISTER* October 17, 1969, 34 F.R. 16641, in the last two lines of paragraph 2, change "order by depletion" to "orderly depletion."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12913; Filed, Oct. 29, 1969;
8:45 a.m.]

[Docket No. CP70-100]

GREAT LAKES GAS TRANSMISSION CO.**Notice of Application**

OCTOBER 23, 1969.

Take notice that on October 17, 1969, Great Lakes Gas Transmission Co. (applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP70-100 an application pursuant to section 3 of the Natural Gas Act for authorization to import additional volumes of natural gas from Trans-Canada Pipe Lines Limited, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to import at an existing point of interconnection on the international boundary near Emerson, Manitoba (for which it has a permit pursuant to Executive Order No. 10485 authorizing the construction and maintenance of border facilities), an additional contract quantity of 5,000 Mcf per day to enable Applicant to supply natural gas to the Peoples Natural Gas Division of Northern Natural Gas Co. in order that the latter may render service in the community of Bemidji, Minn.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 20, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12914; Filed, Oct. 29, 1969;
8:45 a.m.]

[Project No. 2339]

INTERSTATE POWER CO.**Notice of Application for Surrender of License for Constructed Project**

OCTOBER 23, 1969

Public notice is hereby given that application for surrender of license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Interstate Power Co. (correspondence to: R. W. Steele, President, Interstate Power Co., 1000 Maine Street, Dubuque, Iowa 52001) for the Green Hydroelectric Generating Station, Project No. 2339, on Shell Rock River, a tributary of Cedar River, and located partly within the town of Greene, in Floyd and Butler Counties, Iowa.

According to the application, the project consisting principally of a concrete dam, reservoir and powerhouse containing a 200 kw. generating unit is no longer economically feasible to operate, energy supplied by the project can be obtained at a lesser cost from Licensee's interconnected transmission system and Licensee proposes to remove the electrical and mechanical equipment upon Commission approval of surrender. Also, Licensee is negotiating with local governmental agencies for take-over of the dam with a view to using the reservoir for public recreation and environmental purposes.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 12, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12915; Filed, Oct. 29, 1969;
8:45 a.m.]

[Docket No. CP70-94]

KENTUCKY GAS TRANSMISSION CORP.**Notice of Application**

OCTOBER 23, 1969.

Take notice that on October 14, 1969, Kentucky Gas Transmission Corp. (applicant), Post Office Box 1273, Charleston, W. Va. 25325, filed in Docket No.

CP70-94 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes the following:

(1) Construct and operate 6.8 miles of 30-inch gas transmission loop in Menifee and Montgomery Counties, Ky.;

(2) Construct and operate measuring and regulating facilities necessary to provide an additional point of delivery to Columbia Gas of Kentucky, Inc., in Fayette County, Ky.; and

(3) Abandon approximately 0.9 mile of 20-inch gas transmission pipeline in Boyd County, Ky.

Applicant states that the proposed additional pipeline capacity is required to transport and deliver the volumes of natural gas available to meet its market requirements during the 1970-71 winter season.

Applicant estimates the total cost of the proposed facilities is \$1,398,600, to be financed by promissory notes and common stock issued to its parent company, the Columbia Gas System, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate or permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12916; Filed, Oct. 29, 1969;
8:45 a.m.]

[Docket No. CP70-97]

MANUFACTURERS LIGHT AND HEAT CO. AND HOME GAS CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 14, 1969, the Manufacturers Light and Heat Co. (Manufacturers) and Home Gas Co. (Home), 800 Union Trust Building, Pittsburgh, Pa. 15219, filed in Docket No. CP70-97 a joint application pursuant to section 7 of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of additional volumes of natural gas to existing wholesale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant Manufacturers proposes the following:

(1) Construct four new transmission compressor stations in Pennsylvania totalling 10,500 horsepower;

(2) Install three additional compressor units at existing transmission compressor stations in Pennsylvania and West Virginia totalling 3,240 horsepower;

(3) Construct a new 2,000 horsepower storage compressor station to replace an existing 1,800 horsepower storage compressor;

(4) Expand the capacity of an existing storage field in Pennsylvania;

(5) Construct 1.2 miles of 16-inch pipeline to replace 1.2 miles of 10-inch pipeline in Beaver County, Pa.; and

(6) Abandon an additional 9.6 miles of various sized pipelines in Pennsylvania and West Virginia.

Applicant Home proposes the following:

(1) Construct two new transmission compressor stations in Steuben and Delaware Counties in New York totalling 3,710 horsepower;

(2) Construct a new 1,000 horsepower storage compressor station in Steuben County;

(3) Expand the capacity for an existing storage field in Steuben County;

(4) Activate a new storage field in Steuben County;

(5) Construct 0.5 mile of 12-inch pipeline to the new compressor station in Steuben County;

(6) Construct 23.6 miles of 12-inch pipeline to replace 87 miles of four parallel 6-inch and 0.5 mile of single 12-inch pipelines in Steuben County; and

(7) Abandon an additional 179.8 miles of the same four parallel 6-inch pipelines and 3.3 miles of single 12-inch pipelines in New York.

Applicants also seek authorization to increase sales and deliveries to certain existing jurisdictional customers in accordance with customers estimates. Applicants state that the proposed increase in facilities are necessary to provide for immediate and future market requirements, the proposed abandonments are facilities no longer economically maintainable or useful, and the proposed sales are required by applicants' customers to serve this 1970-71 market requirements. Applicants further state no decrease of service will result from the proposed abandonments.

Total estimated cost of the proposed facilities is \$10,096,000, to be financed by the sale of notes and common stock to the Columbia Gas System, parent of both applicants.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own re-

view of the matter finds that a grant of the certificate or permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12917; Filed, Oct. 29, 1969;
8:46 a.m.]

[Docket No. RI68-408 etc.]

MOBIL OIL CORP. ET AL.

Order Accepting Increased Rate Filings Subject to Refund in Existing Rate Suspension Proceedings

OCTOBER 22, 1969.

Mobil Oil Corp. (Operator) et al., and Mobil Oil Corp. (both referred to herein as Mobil) have submitted proposed increases reflecting the 0.5 percent increase in production tax enacted September 1, 1969, by the State of Texas. Mobil requests waiver of the 30-day notice period to allow the increased rates to become effective on October 1, 1969, the effective date of the tax increase. Mobil's presently effective rates for the sales involved are being collected subject to refund.

Pursuant to the Commission's order No. 390, issued October 10, 1969, Mobil's proposed tax increases are accepted for filing to be effective as of October 1, 1969, subject to the existing rate suspension proceedings as indicated in Appendix A hereof.

The Commission finds: Good cause exists for accepting for filing Mobil's proposed rate increases, as set forth in Appendix A hereof, effective as of October 1, 1969, subject to refund in the existing rate suspension proceeding(s) as indicated in said appendix.

The Commission orders: The proposed rate increases contained in Appendix A hereof, are accepted for filing and permitted to become effective as of October 1, 1969, subject to refund in the existing rate suspension proceeding(s) as indicated in the appendix.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate scheduled No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in Dockets Nos.
									Rate in effect	Proposed increased rate	
RI68-408	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	312	10	El Paso Natural Gas Co. (Rejo Caballos Field, Pecos County, Tex.) (RR. District No. 8) (Permian Basin Area).	\$1,162	9-22-69	1-10-1-69	(Accepted—subject to refund)	18.50	** 18.5656	RI68-408.
	do.	377	4	El Paso Natural Gas Co. (Waha and Coyanosa Fields, Pecos and Reeves Counties, Tex.) (RR. District No. 8) (Permian Basin Area).	28,607	9-22-69	1-10-1-69	(Accepted—subject to refund)	18.50	** 18.5094	RI68-408.
RI68-415	Mobil Oil Corp.	308	11	El Paso Natural Gas Co. (Sand Hills Field, Crane County, Tex.) (RR. District No. 8) (Permian Basin Area).	1,291	9-22-69	1-10-1-69	(Accepted—subject to refund)	18.2430	** 18.3105	(9).

¹ The stated effective date is the effective date of the increase in Texas production tax.

² Tax reimbursement increase.

³ Pressure base is 14.65 p.s.i.a.

⁴ Rate effective subject to refund in Dockets Nos. RI68-415 (originally dedicated acreage) and RI68-463 (acreage added by Supplement No. 3).

[F.R. Doc. 69-12918; Filed, Oct. 29, 1969; 8:46 a.m.]

[Docket No. CP68-363]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Petition To Amend

OCTOBER 23, 1969.

Take notice that on October 13, 1969, Natural Gas Pipeline Company of America (applicant), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in Docket No. CP68-363 a petition to amend the order of the Commission issued on October 14, 1968, to permit applicant to sell and deliver an additional 319 Mcf per day under its Winter Service Rate Schedule during the period December 1, 1969, through April 30, 1970, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant was authorized to sell and deliver up to 319 Mcf per day to Lorimor, Iowa, by order issued June 10, 1969, in Docket No. CP69-190. Applicant states that due to financing difficulties, Lorimor will be unable to commence construction of its facilities and will not require gas from applicant before September 1, 1970. Applicant proposes to offer the additional 319 Mcf per day pursuant to its Winter Service Rate Schedule.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 17, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12919; Filed, Oct. 29, 1969; 8:46 a.m.]

[Docket No. CP70-96]

OHIO FUEL GAS CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 14, 1969, The Ohio Fuel Gas Co. (applicant), 99 North Front Street, Columbus, Ohio 43215, filed in Docket No. CP70-96 an application pursuant to section 7 of the Natural Gas Act permitting and approving the abandonment of certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities on its existing transmission system in Ohio, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes the following:

- (1) 52 miles of 20-inch O.D. pipeline in Paulding, Putnam, and Allen Counties, and 3 miles of 20-inch O.D. pipeline in Allen County, extending Line D-500 and looping an additional section of Lines D-322 and D-357;
- (2) 2.2 miles of 8½-inch O.D. pipeline in Shelby County, to replace a section of 4½-inch O.D. Line Z-38;
- (3) 5.5 miles of 24-inch O.D. pipeline in Montgomery County, looping a section of Lines A-77 and A-97;
- (4) 3.8 miles of 16-inch O.D. pipeline in Clark County, replacing a section of 10¾-inch O.D. Line Z-8;
- (5) 2 miles of 8½-inch O.D. pipeline in Fayette County, replacing a section of 5½-inch O.D. Line A-127;
- (6) 20 miles of 24-inch O.D. pipeline in Green, Madison, and Crawford Counties, looping two sections of Lines A, A-79, and A-90;
- (7) 7.7 miles of 12¾-inch O.D. pipeline in Coshocton County, extending Line 0-1591 and looping Line 0-731;
- (8) 2 miles of 6½-inch O.D. pipeline in Stark County, replacing a section of 3½-inch O.D. Line V-243;
- (9) 5 miles of 10¾-inch O.D. pipeline in Wayne County, replacing two sections of 5½-inch O.D. Line L;
- (10) 1.1 miles of 16-inch O.D. pipeline in Medina and Wayne Counties, replacing a section of 12¾-inch O.D. Line L;

(11) 4.2 miles of 12¾-inch O.D. pipeline in Delaware and Franklin Counties, replacing two sections of 10¾-inch and 12¾-inch Line T-50; and

(12) 4 miles of 24-inch O.D. pipeline in Richland County, looping Line L-3101;

together with valves, fittings, and incidental facilities necessary for practical operations.

Applicant states that the proposed facilities are a part of a program to maintain adequate service and to provide increased capacity needed to serve increasing requirements of existing markets and to assure adequate market service.

Applicant also requests that the present limitation on the maximum daily deliveries under firm rate schedules to its customers be increased.

Applicant estimates that the total cost of the proposed transmission projects will be \$10,671,000. The Columbia Gas System, Inc., will finance the proposed project.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 20, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required

herein, if the Commission on its own review of the matter finds that a grant of the certificate or permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-12920; Filed, Oct. 29, 1969;
8:46 a.m.]

[Docket No. CP70-101]

OHIO FUEL GAS CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 20, 1969, The Ohio Fuel Gas Co. (applicant), 99 North Front Street, Columbus, Ohio 43215, filed in Docket No. CP70-101, an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of an additional point of delivery to Columbia Gas of Ohio, Inc. (Columbia) in Spencer Township, Guernsey County, Ohio, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant estimates the proposed facility to have a total cost of \$5,160, and said facility will enable Columbia to initiate natural gas service in the village of Cumberland, Ohio. No increase in Columbia's total daily entitlement with applicant is proposed. Applicant states that Columbia desires to commence such service as soon as possible during the 1969-70 heating season.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 20, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on

this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-12921; Filed, Oct. 29, 1969;
8:46 a.m.]

[Project No. 1394]

SOUTHERN CALIFORNIA EDISON CO.

Notice of Application for Amendment of License for Constructed Project

OCTOBER 22, 1969.

Public notice is hereby given that application for amendment of license has been filed under the Federal Power Act (16 U.S.C.-825r) by Southern California Edison Co. (correspondence to: P. B. Peacock, Manager, Southern California Edison Co., Post Office Box 351, Los Angeles, Calif. 90053), for constructed Project No. 1394, known as Bishop Creek, located on Bishop Creek and its tributaries Birch and McGee Creeks, in Inyo County, Calif., and affecting lands of the United States within Inyo National Forest and other lands of the United States.

The application seeks authorization to partially relocate and to replace an existing wood stave pipeline serving Bishop Creek Plant No. 4 with a 60-inch diameter steel pipe within secs. 25 and 36 in T. 7 S., R. 31 E., and secs. 19 and 30 in T. 7 S., R. 32 E., Mount Diablo Meridian. Purpose of the relocation is to straighten out curves.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 10, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[P.R. Doc. 69-12922; Filed, Oct. 29, 1969;
8:46 a.m.]

[Docket No. CP70-93]

UNITED FUEL GAS CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 14, 1969, United Fuel Gas Co. (applicant), Post Office Box 1273, Charleston, W. Va. 25325, filed in Docket No. CP70-93 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the wholesale sale and delivery of natural gas, and permission and approval to abandon certain other natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes the following:

(1) Construct and operate one 12,500 horsepower compressor unit at Ceredo compressor station in Wayne County, W. Va.;

(2) Construct and operate one 11,100 horsepower compressor unit at Lanham compressor station in Kanawha County, W. Va.;

(3) Construct and operate approximately 8.2 miles of 30-inch pipeline looping a section of existing transmission facilities between Lanham and Clendenin compressor stations in Kanawha County;

(4) Construct and operate one 3,000 horsepower compressor unit and one 2,700 horsepower compressor unit at Clendenin compressor station in Kanawha County;

(5) Construct and operate approximately 7.1 miles of 30-inch and 8.7 miles of 26-inch pipeline looping a section of transmission facilities between Clendenin compressor station and Glenville compressor station in Gilmer County, W. Va.;

(6) Replace a portion of its existing pipeline facilities by constructing approximately 4.1 miles of 8-inch pipeline and retiring approximately 4.1 miles of 4-inch pipeline in Summers and Monroe Counties, W. Va.; and

(7) Relocate an existing point of delivery to Kentucky Gas Transmission Corp. by installing new regulating facilities and abandoning existing measuring and regulating facilities near Leach, Boyd County, Ky.

Further, applicant requests authorization to increase maximum daily firm deliveries to certain of its existing jurisdictional customers during the 1970-71 winter season.

Total estimated cost of the proposed facilities is \$11,607,900, which will be financed through open account advances from and promissory notes and common stock issued to applicant's parent company the Columbia Gas System, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the

Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12923; Filed, Oct. 29, 1969;
8:46 a.m.]

[Docket No. CP70-99]

UNITED GAS PIPE LINE CO.

Notice of Application

OCTOBER 23, 1969.

Take notice that on October 16, 1969, United Gas Pipe Line Co. (applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP70-99 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7 of the regulations thereunder, for a certificate of public convenience and necessity authorizing the construction and operation of natural gas facilities which would enable Applicant to take into its certificated main pipeline system volumes of natural gas, at a total cost not in excess of \$5 million, with the total cost of any onshore project not to exceed \$500,000. In connection therewith, applicant requests that the individual connection limitation of \$500,000, as provided for in § 157.7 of the regulations under the Natural Gas Act, be waived for offshore projects and a limitation of \$750,000 be granted therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states the purpose of the proposal is to augment applicant's ability to act with reasonable dispatch in con-

tracting for and connecting to its pipeline system new supplies of gas in producing areas generally coextensive with said system.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 21, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12924; Filed, Oct. 29, 1969;
8:46 a.m.]

FEDERAL TRADE COMMISSION

KOKOKU RAYON & PULP CO., LTD.

Denial of Application

On June 15, 1967, Kokoku Rayon & Pulp Co., Ltd. (sometimes hereinafter referred to as "Kokoku") 1-1 Shimbashi, 1-Chome, Minato-Ku, Tokyo, Japan, filed an application with the Federal Trade Commission and supplements thereto on October 11 and 12 and November 30, 1967, for establishment of a new generic name to cover a manufactured fiber. Supplemental information was also submitted orally by Kokoku at a meeting on October 16, 1967, between representatives of Kokoku and members of the Commission staff. On December 13, 1967, pursuant to § 303.8 (16 CFR 303.8) (Rule 8) of the Rules and Regulations under the Textile Fiber Products Identification Act, 72 Stat. 1717, as amended, et seq.; 15 U.S.C. 70 et seq. (hereinafter referred

to as "Act") the Commission assigned the designation "Fiber KK-0001" to Kokoku's fiber (the trademark of which is "Cordela") for temporary use during further consideration of the application.

According to the application, Fiber KK-0001 is composed of the following three components which are chemically separate within the fiber:

- | | |
|--|----------------------------------|
| (1) Polyvinyl alcohol (partially acetalized). | 40 percent to 60 percent. |
| (2) Polyvinyl chloride. | 60 percent to 40 percent. |
| (3) Copolymer of vinyl chloride and vinyl alcohol. | 3 percent to 5 percent at least. |

The application states in general that Fiber KK-0001 is manufactured by polymerizing 230 parts vinyl chloride in a solution of 300 parts water and 2.6 parts polyvinyl alcohol in the presence of a catalyst and an emulsifier. When the vinyl chloride is polymerized, some of it is united chemically with some or all of the polyvinyl alcohol present so as to form some polymers of vinyl alcohol chains with vinyl chloride chains grafted onto them. This type of polymer is the third ingredient mentioned above and is referred to in the application as the graft copolymer.

The application further states that after polymerization of the vinyl chloride and formation of the graft copolymer are complete, additional polyvinyl alcohol is added until the content of the polyvinyl chloride in the mixture is somewhere between 40 percent and 60 percent by weight, depending on property variations desired in the finished product. After preparation of the spinning dope, it is spun into a suitable coagulating bath, such as sodium sulfate; is dried without tension; is subjected to dry heat stretching at temperatures between 140° C. and 230° C.; and then subjected to subsequent heat treatment at temperatures between 180° C. to 230° C. or to formalization or to both heat treatment and formalization successively. It is claimed by applicant that these final processes, especially dry heat stretching, go far toward making a stronger and more heat resistant fiber than the more usual final processing used for polyvinyl alcohol fibers, where wet stretching is said to be employed. The applicant claims that production of Fiber KK-0001 is an invention consisting principally of a way of combining substantial amounts of polyvinyl chloride with polyvinyl alcohol in a stable spinning dope which will produce a fiber with good heat resistance and dyeability, and a way of treating this fiber so as to enhance these qualities. The invention is said to thus take advantage of the low cost of polyvinyl chloride while producing a general purpose fiber with generally desirable properties, including flame resistance.

From the application, as supplemented, it appears that Fiber KK-0001 is a tripolymer fiber, the three polymers being polyvinyl alcohol, polyvinyl chloride, and the graft copolymer. Applicant

states that the first of these, polyvinyl alcohol, is practically pure at the time of fiber formation, but that it may later be partially acetalized. Acetalization is said to be done with formaldehyde and the degree thereof is given as 37.9, 40.0, and 45.3 mol percent for the three principal acetalized versions of KK-0001. Each of these values leaves more than 50 percent vinyl alcohol units by weight. Therefore, it is clear that the polyvinyl alcohol or partially acetalized polyvinyl alcohol portion of Fiber KK-0001 is vinal, as defined in § 303.7(l) (16 CFR 303.7(l)) [Rule 7(l)] of the rules and regulations under the Act:

Vinal. A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 50 percent by weight of vinyl alcohol units ($-\text{CH}_2-\text{CHOH}-$), and in which the total of the vinyl alcohol units and any one or more of the various acetal units is at least 85 percent by weight of the fiber.

In answer to a specific question, applicant stated that the polyvinyl chloride portion of Fiber KK-0001 was composed of at least 85 percent by weight of vinyl chloride. Therefore, it is clear that the polyvinyl chloride portion of Fiber KK-0001 is vinyon, as defined in § 303.7(n) (16 CFR 303.7(n)) [Rule 7(n)] of the rules and regulations under the Act:

Vinyon. A manufactured fiber in which the fiber-forming substance is any long chain synthetic polymer composed of at least 85 percent by weight of vinyl chloride units ($-\text{CH}_2-\text{CHCl}-$).

The application as originally submitted stated that the graft copolymer was present in Fiber KK-0001 in amounts between 3 and 5 percent by weight. A later supplement said the amount could be higher and made reference to one version of KK-0001 where it was 9 percent. The function of the graft copolymer was described by applicant in its supplement of October 11, 1967, as follows: " * * * [A] mere mixture of polyvinyl alcohol and polyvinyl chloride under normal conditions does not make a good fiber, if at all, except in the case where polyvinyl chloride component is very small. Just addition of a small quantity of graft copolymer thereto can produce an excellently stabilized and good fiber * * * "

On March 27, 1969, the Commission issued a notice of amendment of § 303.10 (16 CFR 303.10) [Rule 10] of the rules and regulations under the Act, "Fiber Content of Special Types of Products" so as to add a new paragraph thereto designated as paragraph (c), and to provide for the manner and form of disclosing the required fiber content information of textile fibers which contain components combined at or prior to the time of initial extrusion which if separately extruded would fall within existing definitions of textile fibers as set forth in § 303.7 (16 CFR 303.7) [Rule 7] of the rules and regulations under the Act. Such notice was published in the FEDERAL REGISTER on March 28, 1969, at 34 F.R. 5836. By notice dated July 16, 1969, and published in the FEDERAL REGISTER on July 19, 1969, at 34 F.R. 12133

the Commission revised the aforementioned paragraph (c) to clarify the meaning of certain technical terminology contained therein. The applicant in the instant proceeding was served with copies of each of the aforesaid notices. The said paragraph (c) of § 303.10 (16 CFR 303.10(c)) [Rule 10(c)] of the rules and regulations under the Act reads in part:

(c) (1) Where a manufactured textile fiber is essentially a physical combination or mixture of two or more chemically distinct constituents or components combined at or prior to the time of extrusion, which components if separately extruded would each fall within different existing definitions of textile fibers as set forth in § 303.7 [Rule 7] of the regulations, the fiber content disclosure as to such fiber, shall for all purposes under these Rules (i) disclose such fact in the required fiber content information by appropriate nondeceptive descriptive terminology, such as "biconstituent fiber" or "multiconstituent fiber," (ii) set out the components contained in the fiber by the appropriate generic name specified in § 303.7 [Rule 7] in the order of their predominance by weight, and (iii) set out the respective percentages of such components by weight.

It is the opinion of the Commission that Fiber KK-0001 is a multipolymer

fiber of vinal and vinyon within the meaning of the above-mentioned § 303.10 (c) (1) (16 CFR 303.10(c)(1)) [Rule 10(c)(1)]. This opinion is not changed by the fact that the addition of a relatively small amount of some other polymer, i.e., the graft copolymer, may be necessary to effect a satisfactory union between the two primary components. Section 303.10(c)(1) [Rule 10(c)(1)] describes a multipolymer fiber as one which " * * * is essentially a physical combination or mixture of two or more chemically distinct constituents or components combined at or prior to the time of extrusion, which components if separately extruded would each fall within different existing definitions of textile fibers as set forth in § 303.7 [Rule 7] of the regulations * * * " It is clear to the Commission that Fiber KK-0001 is essentially such a mixture of vinal and vinyon. (It might be noted in passing that the graft copolymer too is evidently vinyon. The patent for KK-0001 submitted with the application states that the graft efficiency with regard to Fiber KK-0001 is 10 percent to 20 percent and defines it by means of the following equation:

$$\text{Graft efficiency (\%)} = \frac{\text{quantity of polyvinyl chloride grafted to polyvinyl alcohol}}{\text{total quantity of polyvinyl chloride}} \times 100$$

Computations based on this equation, the graft efficiency figures, and the weights of the constituents of Fiber KK-0001, also contained in the patent, indicate that the graft copolymer is composed of more than 85 percent vinyl chloride units, by weight.)

Wherefore, Kokoku's application for a new generic name to cover Fiber KK-0001 is hereby denied and the proper designation of such fiber for purposes of the Act is determined to be vinal and vinyon, plus the additional information required by § 303.10(c) (16 CFR 303.10(c)) [Rule 10(c)] of the rules and regulations under the Act. The temporary symbol "Fiber KK-0001" previously assigned by the Commission is hereby revoked.

This action is taken pursuant to authority given the Federal Trade Commission under section 7(c) of the Act, 72 Stat. 1721, 15 U.S.C. 70e(c).

Issued: October 27, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-12949; Filed, Oct. 29, 1969; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

LIBERTY EQUITIES CORP.

Order Suspending Trading

OCTOBER 24, 1969.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock of Liberty Equities Corp., a District of Columbia corporation, and all other securities of Liberty Equities Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 26, through November 4, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-12928; Filed, Oct. 29, 1969; 8:46 a.m.]

[70-4799]

OHIO POWER CO.

Notice of Proposed Acquisition of
Utility Assets From a Municipality

OCTOBER 23, 1969.

Notice is hereby given that Ohio Power Co. ("Ohio Power"), 301 Cleveland Avenue SW., Canton, Ohio 44701, an electric utility subsidiary company of American Electric Power Co., Inc., a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9 and 10 thereof as applicable to the proposed transaction. All interested persons are

referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Ohio Power proposes to acquire from the city of Martins Ferry, Ohio ("Martins Ferry"), the electric utility system of Martins Ferry which presently serves approximately 4,400 customers. The properties to be acquired, which will be conveyed free and clear of any indebtedness and encumbrances, include three diesel electric generating units and three steam-powered generating units, having an aggregate capacity of some 8,450 kw., 50 pole miles of 4,000-volt "Y" distribution facilities, a street lighting system, and various items of personal property. Martins Ferry is situated in the territory generally served by Ohio Power, and the system's only interconnection with any other utility company is with Ohio Power from which it purchased during 1968 8,500,000 of its total load of 41 million kw.-hr.

Pursuant to an ordinance of the Council of Martins Ferry, invitations for bids for the purchase of the electric utility system were made. Ohio Power's bid of \$4,825,000 was the only one submitted. The City Council has not yet accepted Ohio Power's bid. It is stated that Ohio Power's bid was based on various considerations, including the value, primarily for peaking purposes, of the approximately 8,450 kw. of generating capacity to be acquired, the amount of revenue which Ohio Power could immediately expect to earn from the property based on Ohio Power's present rates, the amount of increase in revenue which could reasonably be expected from increased usage and new load development in the area, the number of customers presently served by the existing system, and the estimated original cost and present condition and value of the Martins Ferry system property.

Ohio Power proposes to serve Martins Ferry initially through its existing 69-kv. system by tapping the Martins Ferry 4-kv. system at appropriate locations at a cost of approximately \$230,000. Ohio Power further proposes to improve the distribution system to the extent necessary at an estimated cost of approximately \$100,000 and eventually to convert the Martins Ferry distribution system to 12-kv. at a cost of approximately \$420,000. The company estimates that in the fourth full year of its operation of the Martins Ferry properties annual revenue would approximate \$1 million. Ohio Power proposes to apply its present rate schedules for service to be rendered to the customers of the Martins Ferry system and estimates that the average residential customer's cost of electric service will be increased by approximately 2 percent. The Public Utilities Commission of Ohio has jurisdiction over the rates proposed to be charged by Ohio Power in Martins Ferry.

Ohio Power proposes to record the acquired properties on its books at their original cost and to credit depreciation to the appropriate reserve account. The difference between the purchase price and the depreciated original cost will be

recorded and disposed of in accordance with the accounting regulations and orders of the regulatory commissions having jurisdiction.

The application states that miscellaneous expenses not in excess of \$10,000 will be incurred by Ohio Power in connection with the proposed acquisition and that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than November 12, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as amended or as it may be further amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-12929; Filed, Oct. 29, 1969; 8:46 a.m.]

PACIFIC FIDELITY CORP.

Order Suspending Trading

OCTOBER 24, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Pacific Fidelity Corp., a Nevada corporation, and all other securities of Pacific Fidelity Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 27, 1969, through November 5, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-12930; Filed, Oct. 29, 1969; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[License No. 01/01-0027]

FINANCIAL INVESTORS OF BOSTON, INC.

Notice of Filing of Application for Transfer of Ownership of Licensed Small Business Investment Com- pany

Financial Investors of Boston, Inc. (licensee), 185 Devonshire Street, Boston, Mass. 02108, a licensed small business investment company under the Small Business Investment Act of 1958, as amended (the "Act"), has filed an application with the Small Business Administration (SBA) for approval of a proposed change of control pursuant to § 107.701 of SBA Regulations (13 CFR Part 107, 33 F.R. 326).

Licensee was licensed by SBA on October 6, 1961, with an initial paid-in capital of \$153,000. Its present paid-in capital is \$408,000 and its capital stock (40,800 issued and outstanding shares) is divided equally among the following named stockholders who are also directors of the licensee:

Louis T. Falcone, 43 Vose Hill Road, Milton, Mass. 02186.
Mitchel J. Greb, 24 Union Avenue, Framingham Centre, Mass. 01701.
Francis X. Messina, 22 Messina Drive, Braintree, Mass. 02184.
Shepard S. Novick, 70 Miller Road, Newton, Mass. 02159.
Leon P. Piatelli, 15 Roc-Sam Park, Braintree, Mass. 02184.
Samuel B. Sheldon, 22 Carlton Road, Marblehead, Mass. 01945.
James V. Sidell, 40 Baldpate Hill Road, Newton Centre, Mass. 02159.

Barclay Limited, Inc. (Barclay), a Massachusetts corporation with its principal place of business located at 185 Devonshire Street, Boston, Mass. 02108, proposes to acquire all of the outstanding shares of stock of the licensee in exchange for shares of Barclay stock.

Barclay, a holding company, organized on July 27, 1967, has interests in JSA Financial Corp., a Massachusetts corporation engaged in financing accounts receivable, and Barclay Bank and Trust Company of Boston, a Massachusetts trust company engaged in the commercial banking business.

The names and addresses of the officers and directors of Barclay are listed below:

James V. Sidell, 40 Baldpate Hill Road, Newton Centre, Mass. 02159, President and director.
Albert P. Brodell, MITEK Management, Inc., 185 Devonshire Street, Boston, Mass. 02110, Treasurer and director.

Charles M. Goldman, Slater and Goldman, 89 State Street, Boston, Mass. 02109. Clerk and director.
P. Kenneth Mella, New York Securities Co., Inc., 1 Whitehall Street, New York, N.Y. 10004. Director.

In addition, Messrs. Samuel B. Sheldon and Louis T. Falcone, presently officers and directors of licensee, will become directors of Barclay after the proposed transfer of ownership of the licensee is effected.

Mr. Sidell presently has a controlling stock interest in Barclay and will continue to have a controlling stock interest in Barclay after the proposed acquisition.

No change is contemplated in the management of the licensee except that Mr. Paul M. Siskind, presently an officer of the licensee, and Mr. Richard H. Goldman, a member of the law firm of Slater and Goldman, will become directors of the licensee and Mr. Louis T. Falcone will resign as a director.

Interested persons should address their comments on the proposed change of ownership of the licensee to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within ten (10) days after the publication of this notice.

A similar notice shall be published by Barclay in a newspaper of general circulation in Boston, Mass.

Dated: October 20, 1969.

For SBA (under delegated authority).

A. H. SINGER,
Associate Administrator
for Investment.

[F.R. Doc. 69-12931; Filed, Oct. 29, 1969;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1343]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

OCTOBER 24, 1969.

The following applications are governed by Special Rule 247¹ of the Commission's general rules of practice (49 CFR 1100.247 as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which

requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 923 (Sub-No. 9), filed June 9, 1969. Applicant: MEADE TRANSPORT, INC., 421 East Second Street, Owensboro, Ky. 42301. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment); (1) between Louisville and Owensboro, Ky., from Louisville over U.S. Highway 31W to junction U.S. Highway 60, thence over U.S. Highway 60 to Owensboro and return over the same route, serving all intermediate points west of

a point 3 miles west of Maceo, Ky.; and (2) between Hardinsburg and Owensboro, Ky., from Hardinsburg over Kentucky Highway 261 to junction Kentucky Highway 54 east of Fordsville, thence over Kentucky Highway 54 to Owensboro and return over the same route, serving those intermediate points in Daviess County, and serving Hardinsburg for purposes of joinder only. Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 7555 (Sub-No. 61), filed September 23, 1969. Applicant: TEXTILE MOTOR FREIGHT, INC., Post Office Box 70, Ellerbe, N.C. 28338. Applicant's representative: Jacob P. Billig, 1108 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned citrus juices, from points in Florida, to Rochester, N.Y. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 8948 (Sub-No. 89), filed September 29, 1969. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. 90058. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Nitrosyl chloride, in bulk, in shipper-owned trailers, from the plantsite of Hercules, Inc., at or near Hercules, Calif., to Indianapolis, Ind., and Wichita, Kans. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 18088 (Sub-No. 49) (Correction), filed March 21, 1969, published FEDERAL REGISTER, issue of April 10, and July 25, 1969, and republished as corrected this issue. Applicant: FLOYD & BEASLEY TRANSFER COMPANY, INC., Post Office Drawer 8, Sycamore, Ala. 35149. Applicant's representative: William J. Kenney, 2000 L Street NW., Suite 815, Washington, D.C. 20036. The purpose of this republication is to show that applicant is represented by the attorney as shown above. Previous publication gave wrong representative. The remainder of the publication remains the same.

No. MC 20793 (Sub-No. 44), filed October 8, 1969. Applicant: WAGNER TRUCKING CO., INC., Jobstown, N.J. 08041. Applicant's representative: G. Donald Bullock, 128 Greenwood Avenue, Wyncote, Pa. 19095. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Building blocks requiring the use of vehicles equipped with mechanical unloading devices, from Trenton, N.J., to points in Connecticut, Delaware, Maryland, New York, and Pennsylvania. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

No. MC 20824 (Sub-No. 28), filed October 2, 1969. Applicant: **COMMERCIAL MOTOR FREIGHT, INC. OF INDIANA**, 2141 South High School Road, Indianapolis, Ind. 46241. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving the Ell Lilly & Co. plantsite located near Clinton, Ind., as an off-route point in connection with applicant's presently authorized regular route service from or to Clinton, Ind. Note: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 23976 (Sub-No. 30), filed October 3, 1969. Applicant: **BEND-PORTLAND TRUCK SERVICE, INC.**, doing business as **TRANS WESTERN EXPRESS, INC.**, 5940 North Basin, Portland, Ore. 97217. Applicant's representative: John G. McLaughlin, 726 Blue Cross Building, 100 Southwest Market, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, liquid petroleum products in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading and household and office furnishings uncrated), between Eugene, Ore., and junction U.S. Highway 97 and Oregon Highway 58, from Eugene over Interstate Highway 5 to junction Oregon Highway 58, thence over Oregon Highway 58 to junction U.S. Highway 97 and Oregon Highway 58, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 30887 (Sub-No. 163), filed October 12, 1969. Applicant: **SHIPLEY TRANSFER, INC.**, 49 Main Street, Post Office Box 55, Reisterstown, Md. 21136. Applicant's representatives: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036, and W. Wilson Corroon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Natural latex*, in bulk, from Baltimore, Md., to Dothan, Ala., and Westminster, S.C. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31389 (Sub-No. 115), filed September 8, 1969. Applicant: **MCLEAN TRUCKING COMPANY**, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, N.C. 27102. Ap-

plicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Chicago, Ill., and Milwaukee, Wis., from Chicago over U.S. Highway 41 and/or Interstate Highway 94 to Milwaukee, and return over the same routes serving no intermediate points. Restriction: No traffic may be transported between Milwaukee, Wis., on the one hand, and, on the other, points in Ohio, Indiana, Illinois, or Louisville, Ky. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., and Milwaukee, Wis.

No. MC 41406 (Sub-No. 26), filed September 29, 1969. Applicant: **ARTIM TRANSPORTATION SYSTEM, INC.**, 7105 Kennedy Avenue, Hammond, Ind. 46323. Applicant's representatives: Ferdinand Born and Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plantsite of Jones & Laughlin Steel Corp., located in Putnam County, Ill., to points in Nebraska, Wyoming, Colorado, Utah, Montana, Idaho, Oregon, and Washington; and (2) *materials, equipment, and supplies* used in the manufacture and processing of iron and steel articles, from points in Nebraska, Wyoming, Colorado, Utah, Montana, Idaho, Oregon, and Washington to points in Putnam County, Ill. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 43038 (Sub-No. 442), filed October 13, 1969. Applicant: **COMMERCIAL CARRIERS, INC.**, 10761 Middlebelt Road, Romulus, Mich. 48174. Applicant's representatives: Harold H. Clokey, 248 Chester Avenue SE., Atlanta, Ga. 30316, and Paul H. Jones (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles, freight or combination freight and passenger, chassis, parts, and accessories*, when moving with vehicles of which they are a part or on which they are to be installed, in truckaway or drive-away service, between points in Los Angeles County, Calif., on the one hand, and, on the other, points in California. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Los Angeles, Calif.

No. MC 61592 (Sub-No. 154), filed October 7, 1969. Applicant: **JENKINS TRUCK LINE, INC.**, 3708 Elm Street,

Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable buildings and prefabricated greenhouses*, from Phoenix, Ariz., to points in the United States (except Alaska, Hawaii, and Arizona). Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 68078 (Sub-No. 30), filed September 29, 1969. Applicant: **CENTRAL MOTOR EXPRESS, INC.**, 2909 South Hickory Street, Chattanooga, Tenn. 37407. Applicant's representative: Blaine Buchanan, 1024 James Building, Chattanooga, Tenn. 37402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment); (1) between Chattanooga, Tenn., and Birmingham, Ala., from Chattanooga over U.S. Highway 11 (and Interstate Highway 59) to Attalla, Ala., thence over U.S. Highway 431 to Gadsden, Ala., thence over U.S. Highway 278 to junction Interstate Highway 59, thence over Interstate Highway 59 to junction U.S. Highway 11 at or near Argo, Ala., thence over U.S. Highway 11 to Birmingham, Ala., and return over the same route serving the intermediate points of Attalla, Alabama City, and Gadsden, Ala.; and (2) between Gadsden, Ala., and Birmingham, Ala., from Gadsden over U.S. Highway 278 to junction Interstate Highway 59, thence over Interstate Highway 59 to junction U.S. Highway 11 at or near Argo, Ala., thence over U.S. Highway 11 to Birmingham, Ala., and return over the same route serving no intermediate points. Note: Applicant states that the purpose of the instant application is to clarify the presently held authority in its certificate MC 68078 Sub 12 and also to serve Gadsden, Ala., as an intermediate point between Chattanooga, Tenn., and Birmingham, Ala. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chattanooga, Tenn., or Birmingham, Ala.

No. MC 69116 (Sub-No. 127), filed October 1, 1969. Applicant: **SPECTOR FREIGHT SYSTEM, INC.**, 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Avon

Yards of the Penn Central Railroad, located at or near Avon, Ind., as an off-route point in connection with applicant's presently authorized regular-route operations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 72140 (Sub-No. 55) (Correction), filed August 28, 1969, published in the *FEDERAL REGISTER* issue of October 2, 1969, corrected and republished as corrected, this issue. Applicant: **SHIPPERS DISPATCH, INC.**, 1216 West Sample Street, South Bend, Ind. 46624. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, and except dangerous explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Whitehouse, Ohio, as an off-route point in connection with applicant's regular route operations. **NOTE:** The purpose of this republication is to show "regular routes," in lieu of irregular routes, as shown erroneously in previous publication. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Detroit, Mich.

No. MC 82841 (Sub-No. 64), filed October 7, 1969. Applicant: **HUNT TRANSPORTATION, INC.**, 801 Livestock Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel bar joists and accessories*, from Norfolk, Nebr., to points in California, Colorado, Idaho, Illinois, Kansas, Montana, Nevada, South Dakota, and Wyoming. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 83539 (Sub-No. 265), filed September 16, 1969. Applicant: **C & H TRANSPORTATION CO., INC.**, 1935 West Commerce Street, Dallas, Tex. Applicant's representative: Kenneth Weeks (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic conduit, valves, fittings, compounds, joint sealer, bonding cement, primer, coating thinner, and accessories* used in the installation of such products, from points in Mayes County, Okla., to points in California. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Oklahoma City, Okla.

No. MC 94350 (Sub-No. 236), filed October 6, 1969. Applicant: **TRANSIT HOMES, INC.**, Haywood Road, Post Of-

fice Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, from points in Barnwell County, S.C., to points in the United States (except Alaska and Hawaii). **NOTE:** Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 95084 (Sub-No. 76), filed October 2, 1969. Applicant: **HOVE TRUCK LINE**, a corporation, Stanhope, Iowa 50246. Applicant's representative: Kenneth P. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and equipment* used in manufacture of and processing of agricultural machinery and implements, farm machinery and implements; *agricultural machinery and implement parts, and farm machinery and implement parts*, from points in the United States (except Alaska and Hawaii), to Kewanee, Ill., and Kirksville, Mo. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.; Chicago, Ill.; or Des Moines, Iowa.

No. MC 96098 (Sub-No. 32), filed October 3, 1969. Applicant: **MILTON TRANSPORTATION, INC.**, Rural Delivery 2, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and related products, machinery, scrap paper, cores, alum and other raw materials, and paper ingredients, paper mill supplies, and other property*, between the facilities of the New York and Pennsylvania Co., Inc., at Johnsonburg, Pa., on the one hand, and, on the other, points in New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, District of Columbia, Virginia, West Virginia, Maryland, North Carolina, Tennessee, Ohio, Kentucky, Indiana, Iowa, Illinois, Michigan, Missouri, and Delaware; under contract with New York and Pennsylvania Co., Inc., Johnsonburg, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 97068 (Sub-No. 9), filed October 9, 1969. Applicant: **H. S. ANDERSON TRUCKING COMPANY**, a corporation, Post Office Box 3656, Port Arthur, Tex. 77640. Applicant's representative: Morgan Nesbitt, 904 Lavaca, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Port Arthur, Tex., to points in Texas,

Arkansas, and Oklahoma. **NOTE:** Applicant states tacking would be possible at Port Arthur on specified commodities from points within 125 miles of Houston (Sub 4) and from Louisiana (Sub 1 or Sub 7) but applicant does not intend to tack and is agreeable to a restriction against same. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Houston or Fort Worth, Tex.

No. MC 103993 (Sub-No. 464), filed October 13, 1969. Applicant: **MORGAN DRIVE-AWAY, INC.**, 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Ralph H. Miller and Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings* in sections, mounted on undercarriages, from points in Delaware County, Ohio, to points in the United States excluding Alaska and Hawaii. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 103993 (Sub-No. 465), filed October 13, 1969. Applicant: **MORGAN DRIVE-AWAY, INC.**, 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Ralph H. Miller and Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Onslow County, N.C., to points in the United States (excluding Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 103993 (Sub-No. 467), filed October 12, 1969. Applicant: **MORGAN DRIVE-AWAY, INC.**, 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, from points in Le Flore County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 103993 (Sub-No. 468), filed October 12, 1969. Applicant: **MORGAN DRIVE-AWAY, INC.**, 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building sections, panels, materials, parts, and accessories*, from points in Jones County, Iowa, to points in Washington, Oregon, California, Idaho, Nevada, Utah, Colorado, New Mexico,

Montana, Wyoming, Pennsylvania, New York, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, and the District of Columbia. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107002 (Sub-No. 380) (Amendment), filed September 29, 1969, published in *FEDERAL REGISTER* issue October 23, 1969, amended October 10, 1969, and republished as amended this issue. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth, Post Office Box 1123, Jackson, Miss. 39205, and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: (1) *Sulphuric acid and acid sludge*, in bulk, in tank vehicles, between Natchez, Miss., on the one hand, and, on the other, points in East Baton Rouge, Iberville, Ascension, and St. James Parishes, La.; and (2) *chemicals*, in bulk, in tank vehicles, from Natchez, Miss., to points in Alabama. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to add Part (2), thereby broadening the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 107403 (Sub-No. 782), filed October 9, 1969. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gel catalyst*, in bulk, from Cincinnati, Ohio, to points in Montana, Utah, Wyoming, and Kentucky. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107515 (Sub-No. 678), filed October 8, 1969. Applicant: REFRIGERATED TRANSPORT CO., INC., 3900 Jonesboro Road SE., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representatives: B. L. Gundlach (same address as applicant) and Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile products including carpet, rugs, yarns, fibers, and floor coverings of all types*, from points in Georgia, North Carolina, and South Carolina, to points in Arkansas, Oklahoma, Texas, New Mexico, and points in Louisiana on and north of U.S. Highway 190. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dalton, Ga.

No. MC 109612 (Sub-No. 25), filed August 6, 1969. Applicant: LEE MOTOR LINES, INC., Post Office Box 728, Muncie, Ind. 47306. Applicant's representative: Eugene Lee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between Eaton, Ind., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 110410 (Sub-No. 10), filed October 6, 1969. Applicant: BENTON BROTHERS FILM EXPRESS, INC., 168 Baker Street NW., Atlanta, Ga. 30303. Applicant's representative: William Adams, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magazines*, between Atlanta, Ga., on the one hand, and, on the other, Alley, Augusta, Savannah, and Waycross, Ga., and Jacksonville, Fla. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111170 (Sub-No. 134), filed September 28, 1969. Applicant: WHEELING PIPE LINE, INC., Post Office Box 1718, El Dorado, Ark. 71730. Applicant's representative: Thomas Harper, Post Office Box 43, Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chlorinated camphene (toxaphene)*, in bulk, from West Helena, Ark., to points in Louisiana, Mississippi, Missouri, and Tennessee. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Memphis, Tenn.

No. MC 111401 (Sub-No. 289), filed September 17, 1969. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt rejuvenator (reclamite)*, in bulk, from Stroud, Okla., to points in New Mexico. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Denver, Colo.

No. MC 111467 (Sub-No. 18), filed October 8, 1969. Applicant: ARTHUR J. PAPE, doing business as ART PAPE TRANSFER, 1381 Rockdale Road, Dubuque, Iowa 52001. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Salt*, between points in Illinois, Iowa, and Missouri. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that MC 111467 (Sub-No. 3) authorizes transportation of salt from Dubuque, Iowa, to points in Illinois. No duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 111594 (Sub-No. 47), filed October 6, 1969. Applicant: C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, Wis. 54494. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment); (a) between junction U.S. Highway 151 and Wisconsin Highway 26 and junction U.S. Highway 51 and Interstate Highway 55 at or near Bloomington, Ill.; from junction U.S. Highway 151 and Wisconsin Highway 26 over Wisconsin Highway 26 to junction U.S. Highway 51 at or near Janesville, Wis., thence over U.S. Highway 51 to junction Interstate Highway 55 at or near Bloomington, and return over the same route, as an alternate route for operating convenience only, serving the junction of U.S. Highway 151 and Wisconsin Highway 26, the junction of Wisconsin Highway 26 and U.S. Highway 51, and the junction of U.S. Highway 51 and Interstate Highway 55 at or near Bloomington, Ill., as points of joinder only; and (b) between Madison, Wis., and junction U.S. Highway 51 and Interstate Highway 90 at or near Janesville, Wis.; from Madison over Interstate Highway 90 to junction U.S. Highway 51 at or near Janesville, and return over the same route, as an alternate route for operating convenience only, serving the junction of U.S. Highway 51 and Interstate Highway 90 at or near Janesville, Wis., as a point of joinder only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111812 (Sub-No. 391), filed October 13, 1969. Applicant: MIDWEST COAST TRANSPORT, INC., 405 1/2 East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representatives: R. H. Jinks (same address as applicant), and Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Elk Grove Village, Ill., to points in Idaho, Montana, Oregon, Washington, North Dakota, and South Dakota. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 112304 (Sub-No. 35), filed October 8, 1969. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plywood*, from the plantsite of General Plywood Corp. located at New Albany, Ind., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 113459 (Sub-No. 52), filed October 3, 1969. Applicant: H. J. JEFFRIES TRUCK LINE, INC., Post Office Drawer 94850, Oklahoma City, Okla. 73109. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: (1) *Axles, wheels, axle parts, and drum assemblies, wheel rims; and (2) related parts and accessories designed for mobile homes, travel trailers, campers, and horse trailers*, from Newton, Kans., to points in Alabama, Arkansas, Colorado, Idaho, Iowa, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, Texas, Utah, and Wyoming. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Kansas City, Mo.

No. MC 114004 (Sub-No. 75), filed October 6, 1969. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. 72209. Applicant's representative: W. G. Chandler (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Sebastian County, Ark., and Le Flore County, Okla., to points in the United States, excluding Alaska and Hawaii*. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 114115 (Sub-No. 18), filed October 6, 1969. Applicant: TRUCKWAY SERVICE, INC., 1099 Oakwood Boulevard, Detroit, Mich. 48217. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Salt*; (1)

from points in Michigan, to points in Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, and West Virginia, under contract with American Salt Co.; and (2) from St. Louis, Mich., to points in Illinois, Indiana, and Ohio under contract with Michigan Chemical Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus Ohio.

No. MC 115499 (Sub-No. 16), filed October 13, 1969. Applicant: LOWER LAKES CARRIER, INC., Post Office Box 712, Ashtabula, Ohio 44004. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Calcium carbide*, in bulk and in containers, from Ashtabula, Ohio, to St. Louis, Mo.; under continuing contract or contracts with Union Carbide Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115821 (Sub-No. 12), filed October 6, 1969. Applicant: FRANK BEELMAN, JR., St. Libory, Ill. 62282. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, originating at the plantsite and facilities of the Mississippi Lime Co., at Ste. Genevieve and Mosher, Mo., and destined to points in Arkansas, Illinois (except Madison County), Kentucky, and Louisiana. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 116273 (Sub-No. 119), filed October 10, 1969. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplements*, in bulk, in tank vehicles, from Adrian, Mich., to points in Illinois, Indiana, Ohio, Pennsylvania, Wisconsin, and Kentucky. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116473 (Sub-No. 4), filed October 6, 1969. Applicant: THOMAS HANLEY, doing business as HANLEY TRUCKING, 266 Magnolia Avenue, Hillsdale, N.J. 07642. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by a manufacturer of wadding, and materials, equipment, and supplies used in the conduct of such business (except commodities in bulk), between the site of the plant of Carlee Corp., Rockleigh, N.J., on the one hand, and, on the other, points in Massachusetts,*

Rhode Island, Connecticut, New York, North Carolina, Virginia, Maryland, Delaware, Pennsylvania, and the District of Columbia under contract with Carlee Corp. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 117119 (Sub-No. 420), filed October 13, 1969. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, Ark. 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wellston, Ohio, to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 117344 (Sub-No. 196), filed October 7, 1969. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representatives: Herbert Baker and James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Cincinnati, Ohio, to Joliet, Ill. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117565 (Sub-No. 20), filed October 6, 1969. Applicant: MOTOR SERVICE COMPANY, INC., 237 South Fifth Street, Coshocton, Ohio 43812. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Trailers designed to be drawn by passenger automobiles, in initial movements, from points in Henry County, Tenn., Harnett County, N.C., Todd County, Ky., and Randolph County, Ind., to points in Minnesota, Iowa, Missouri, Arkansas, Oklahoma, and Texas and points in all States east thereof; (2) trailers designed to be drawn by passenger automobiles, between points in Delaware County, Ohio, on the one hand, and, on the other, points in the United States (except Hawaii); (3) trailers designed to be drawn by passenger automobiles, in initial movements, from points in Crawford County, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, Pennsylvania, Tennessee, West Virginia, and Wisconsin; (4) (a) trailers designed to be drawn by passenger automobiles, in initial movements, and (b) truck campers and camp coaches, from points in Williams County, Ohio, and Washington County, Md., to points in the United States (except Hawaii)*. Note: Applicant states it proposes to tack where feasible with its existing authority in No. MC 117565 wherein it is

authorized to conduct operations in the States of Michigan and Ohio. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117815 (Sub-No. 151), filed October 10, 1969. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk); (1) from the plantsite and/or storage facilities utilized by the Rath Packing Co. at Waterloo, Iowa, to points in Minnesota, Nebraska, and Wisconsin; and (2) from the plantsite of the Rath Packing Co. at Columbus Junction, Iowa, to points in Minnesota and Nebraska. Restriction: Service in (1) and (2) above to be restricted to traffic originating at the named plantsites and/or storage facilities. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 118130 (Sub-No. 62), filed October 2, 1969. Applicant: BEN HAM-RICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. 76134. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages, advertising materials when shipped with malt beverages, and supplies* as are usually dealt in or used by breweries and wholesale and retail beverage distributors and/or stores, between Fort Worth, Tex., on the one hand, and, on the other, points in Texas, Oklahoma, Louisiana, Mississippi, Alabama, Arkansas, and New Mexico. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Fort Worth, Tex.

No. MC 119531 (Sub-No. 127), filed October 7, 1969. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs, canned or preserved*, from Toledo, Ohio, to points in Kentucky. Note: Applicant states it holds authority under MC 119531 Sub 53, in the transportation of foodstuffs, canned or preserved, from Toledo, Ohio, to points in Kentucky (except points east of Kentucky Highway 7). Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119777 (Sub-No. 164), filed October 8, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Truck and truck body parts*, between Paris, Ill., on the one hand, and, on the other, points in the United States (except Hawaii); and (2) *materials, supplies, and equipment* used in the manufacture, assembly, and distribution of the commodities in (1) above, from points in the United States (except Hawaii) to Paris, Ill. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority in MC 126970 and Subs thereunder, therefore, dual operations may be involved. Common control also may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 119974 (Sub-No. 27), filed October 13, 1969. Applicant: L.C.L. TRANSIT COMPANY, a corporation, 520 North Roosevelt Street, Green Bay, Wis. 54305. Applicant's representative: Charles E. Dye (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products, dairy byproducts, manufactured and prepared foods, and materials, supplies, and equipment* used or useful in the production thereof, from Albany, Hutchinson, and Melrose, Minn., to points in Illinois and Wisconsin, restricted to traffic originating at the plantsite and/or storage facilities of Kraft Foods Division of Kraftco. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 120046 (Sub-No. 2), filed October 5, 1969. Applicant: TANKWAYS, a corporation, 545 Queen's Row, San Jose, Calif. 95106. Applicant's representative: Marvin Handler, 405 Montgomery Street, Suite 1401, San Francisco, Calif. 94104. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Petroleum products*, in bulk (except liquid petroleum gases and any other petroleum products requiring pressurized tanks, and except liquid asphalts and hot road oils, and any other petroleum products requiring insulated tanks); (1) between the Oregon-California State line in the international boundary line between the United States and Mexico, located in California, from the Oregon-California State line over U.S. Highway 101 to Los Angeles, thence over Interstate Highway 5 to the international boundary line between the United States and Mexico, and return over the same route, serving all intermediate points; (2) between the Oregon-California State line and the international boundary line between the United States and Mexico located in California, from the Oregon-California State line over Interstate

Highway 5 to Red Bluff, thence over California Highway 99 to junction Interstate Highway 5 at a point approximately 23 miles south of Bakersfield, thence over Interstate Highway 5 to Los Angeles, thence over Interstate Highway 10 to Indio, thence over California Highway 86 to the international boundary line between the United States and Mexico, and return over the same route, serving all intermediate points; (3) between Redding and Alturas, Calif., over California Highway 299, serving all intermediate points;

(4) (a) between the California-Oregon State line and the California-Nevada State line, over U.S. Highway 395, serving all intermediate points; (b) between Red Bluff and Johnstonville, Calif., over California Highway 36, serving all intermediate points; (5) between Marysville, Calif., and junction California Highway 20 and Interstate Highway 80, over California Highway 20, serving all intermediate points; (6) between San Francisco, Calif., and the California-Nevada State line, over Interstate Highway 80, serving all intermediate points; (7) between Sacramento, Calif., and the California-Nevada State line, over U.S. Highway 50, serving all intermediate points; (8) between Topaz Lake, Calif., and junction U.S. Highways 395 and 66, over U.S. Highway 395, serving all intermediate points; (9) between Needles and Los Angeles, Calif., over U.S. Highway 66, serving all intermediate points; (10) between Los Angeles, Calif., and the California-Arizona State line, over U.S. Highway 60, serving all intermediate points; (11) between Barstow, Calif., and the California-Nevada State line, over Interstate Highway 15, serving all intermediate points; (12) between Baker, Calif., and the California-Nevada State line, over California Highway 127, serving all intermediate points; (13) between San Diego, Calif., and the California-Arizona State line, over Interstate Highway 8, serving all intermediate points; and (14) serving all other points in California as off-route points in connection with the above-sought routes. Note: Common control may be involved. Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 123048 (Sub-No. 165), filed October 10, 1969. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representatives: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703, and Paul L. Martinson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except truck tractors); (2) *agricultural implements and machinery*; and (3) *attachments for, and equipment designed for use with the articles described in (1) and (2) above* when moving in mixed loads with the articles described in (1) and (2) above, from the United States-Canadian border crossings in Michigan, to points in the United States (except Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah,

Washington, and Wyoming), restricted to traffic in foreign commerce originating at the plant, warehouse, or distribution facilities of the International Harvester Co. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123283 (Sub-No. 5), filed September 15, 1969. Applicant: CITY BEVERAGES, INC., 725 West Saar Street, Kent, Wash. 98031. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Mayonnaise, salad dressing, and syrup*, from Kent, Wash., to points in Oregon, under contract with Blue Banner Foods, Kent, Wash. **NOTE:** Applicant holds a pending common carrier application under Docket No. MC 129665 Sub 1, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 123902 (Sub-No. 3), filed October 6, 1969. Applicant: NORTH JERSEY TRANSFER, INC., Post Office Box 392, Sparta, N.J. 07871. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (A) *Scrap metal*, between Passaic and Fairfield, N.J., on the one hand, and, on the other, East Syracuse, N.Y.; under contract with Randolph Scrap Metal Co., Passaic, N.J.; and (B) (1) *plastic articles* (except in bulk in tank vehicle), between Carlstadt, N.J., on the one hand, and, on the other, Hazelton, Pa.; and (2) *plastic articles* (except in bulk in tank vehicles), *plastic juvenile furniture*, from Hazelton, Pa., Carlstadt, N.J., and points in Massachusetts, to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada; under contract with Instrument System Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 124796 (Sub-No. 51) (Correction), filed August 13, 1969, published in the FEDERAL REGISTER issues of September 18, 1969, and October 17, 1969, and republished in part, as corrected, this issue. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. (2)

Sodium hydroxide solution, in plastic bottles, in boxes; (a) from Indianapolis, Ind., to Asheville, N.C.; Atlanta, Ga.; Birmingham, Ala.; Bristol, Tenn.; Charlotte, N.C.; Chattanooga, Tenn.; Cincinnati, Ohio; Columbia, S.C.; Dallas, Tex.; Greenville, S.C.; Houston, Tex.; Jackson, Miss.; Jacksonville, Fla.; Joplin and Kansas City, Mo.; Knoxville, Tenn.; Lexington, Ky.; Little Rock, Ark.; Louisville, Ky.; Memphis, Tenn.; Miami, Fla.; Mobile and Montgomery, Ala.; Nashville, Tenn.; New Orleans, La.; Oklahoma City, Okla.; St. Louis, Mo.; San Antonio, Tex.; Shreveport, La.; Springfield, Mo.; Tampa, Fla.; Wichita, Kans.; Albuquerque, N. Mex.; Lubbock, Tex.; and Winston-Salem, N.C. **NOTE:** The purpose of this republication is to include Birmingham, Ala.; as a destination State in item 2(a) above, which was inadvertently omitted from the previous publication. The rest of the application remains the same.

No. MC 124841 (Sub-No. 7), filed September 11, 1969. Applicant: DALE D. JACOBS, Route 4, Dell Avenue, Walla Walla, Wash. 99362. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, and supplies, and equipment* used in the manufacture, storage and distribution of frozen foods, between points in Milwaukee, Portland, Salem, Hillsboro, Woodburn, Ontario, Weston, Pendleton, and Milton Freewater, Oreg.; Walla Walla, Spokane, Quincy, Burlington, Wheeler, and Connell, Wash.; and Heyburn, Nampa, Caldwell, Burley, Lewiston, and American Falls, Idaho; under contract with Terminal Ice & Cold Storage Co. **NOTE:** Applicant states that it already holds authority between all points specified in the areas set forth to be authorized with the exception of Connell, Wash., and the sole and single purpose of this application is to add Connell to the points that can already be served as a contract carrier for Terminal Ice & Cold Storage Co., only. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 125045 (Sub-No. 6), filed October 14, 1969. Applicant: SHERMAN MOLDE, doing business as MOLDE TRUCKING COMPANY, 955 1 1/4 Street SW., Rochester, Minn. 55901. Applicant's representative: Richard E. White, Room 8, District Building, 316 First Avenue SW., Rochester, Minn. 55901. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in section (B) of appendix I to the reports in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and *ice cream*, from the plantsite of Marigold Foods, Inc., at Rochester, Minn., to points in Minnesota and South Dakota; under contract with Marigold Foods, Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 125777 (Sub-No. 130), filed October 6, 1969. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's repre-

sentative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Chicago, Ill., to points in Michigan. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127042 (Sub-No. 49), filed October 6, 1969. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 except hides and commodities in bulk, from Hospers, Iowa, to points in Illinois, Minnesota, and Wisconsin. **NOTE:** Applicant states this instant application could be joined with all presently unrestricted authorities to serve points in the same destination area applied for herein. If a hearing is deemed necessary, applicant requests it be held at Sioux City or Des Moines, Iowa, or Omaha, Nebr.

No. MC 127834 (Sub-No. 40) (Correction), filed August 25, 1969, published in the FEDERAL REGISTER issue of September 18, 1969, corrected in part, and republished this issue. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. **NOTE:** The purpose of this republication is to reflect the correct address of applicant's representative as Bowling Green, Ky., in lieu of Bowling Green, N.Y. as shown erroneously in previous publication. The rest of the application remains the same.

No. MC 127903 (Sub-No. 3), filed October 13, 1969. Applicant: H & M TRANSPORT CO., INC., Rudd, Iowa 50471. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa, 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite and storage facilities of Monsanto Co. located in Muscatine County, Iowa, to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin. **NOTE:** Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 128273 (Sub-No. 54), filed October 6, 1969. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*; products produced or distributed by manufacturers and converters of paper and paper products (except commodities in bulk), from millsite of International Paper Co. located in or near Pine Bluff (Jefferson County), Ark., to points in Alabama, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Oklahoma, Tennessee, Texas, and Wisconsin; and (2) *materials and supplies* used in the manufacture and distribution of the above described commodities and returned and rejected shipments, from destination points in (1) above to the millsite of International Paper Co. in Pine Bluff (Jefferson County), Ark. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant has a pending application for contract carrier authority under Docket No. MC 133791, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128732 (Sub-No. 4), filed October 14, 1969. Applicant: TRANSPORTATION UNLIMITED OF CALIFORNIA, INC., 2639 South Soto, Los Angeles, Calif. 90023. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Hale County, Tex., to points in California, Washington, Oregon, Arizona, Utah, Georgia, Florida, Alabama, South Carolina, North Carolina, Tennessee, Wisconsin, Minnesota, Nevada, and Illinois under contract with Missouri Beef Packers, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Kans.

No. MC 129612 (Sub-No. 3), filed October 9, 1969. Applicant: I. BOWIE HALL, doing business as BOWIE HALL TRUCKING, Post Office Box 1, Upper Marlboro, Md. 20870. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW, Washington, D.C. 20004. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Cranston, R.I., to Upper Marlboro, Md.; under a continuing contract with Buck Distributing Co., Inc., Upper Marlboro, Md. NOTE: Applicant has common carrier authority pending under MC 133405 Sub 1, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129712 (Sub-No. 1), filed October 1, 1969. Applicant: GEORGE BENNETT, doing business as GEORGE BENNETT TRUCK LINES, 5194 Houston Road, Macon, Ga. 31201. Applicant's representative: T. Baldwin Martin, 700 Home Federal Building, Macon, Ga. 31201. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Implement, implement, and tractor* (except truck tractor) *parts and tractors* (except truck tractors) which have been rejected or discontinued from dealers of Ford Motor Co. in Alabama, Florida, North Carolina, South Carolina, and Tennessee and reconsigned shipments of said commodities from said dealers, from dealers of Ford Motor Co., Tractor and Implement Division located at points in Alabama, Florida, North Carolina, South Carolina, and Tennessee, to Tucker, Ga., and points in Alabama, Florida, North Carolina, South Carolina, and Tennessee, under contract with Ford Motor Co., Tractor and Implement Division, Tucker, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Macon or Atlanta, Ga.

No. MC 133066 (Sub-No. 2), filed October 8, 1969. Applicant: THURMAN LEE HESTER, doing business as T. L. HESTER TRUCK SERVICE, 904 South Howard, Moore, Okla. 73060. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, Post Office Box 75124, Oklahoma City, Okla. 73107. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Finished paper products*, from the plantsite of Marco Paper Products Co. in San Rafael, Calif., to points in Alabama, Arkansas (except Little Rock), Florida, Georgia (except Atlanta), Kansas, Louisiana, Mississippi, Missouri, Oklahoma, and Texas (except Dallas), under contract with Marco Paper Products Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City or Tulsa, Okla.

No. MC 133231 (Sub-No. 2), filed October 3, 1969. Applicant: ROBERT A. BRINKER, INC., 21 Diaz Street, Iselin, N.J. 08830. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Organs, benches, books, and materials, equipment and supplies* used or useful in the manufacturing and sale of organs, between the facilities of the Magnus Organ Corp., located at Finderne, Freehold, Dunellen, Woodbridge, and Linden, N.J., on the one hand, and, on the other, New York, N.Y., and points in Suffolk, Westchester, and Rockland Counties, N.Y., and Philadelphia, Pa., and points in New Jersey under contract with Magnus Organ Corp., Linden, N.J. NOTE: Applicant holds a pending application under MC 133849 for common carrier authority, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 133655 (Sub-No. 13), filed September 25, 1969. Applicant: TRANSNATIONAL TRUCK, INC., Post Office Box 894, Hurst, Tex. 76053. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Hereford, Tex., and points within 5 miles thereof to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex.

No. MC 133723 (Sub-No. 6), filed October 9, 1969. Applicant: JOHN H. SMITH, INC., 18709 Ecorse Road, Allen Park, Mich. 48101. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Coal briquets*, from the plantsite of the Johnson Coal Cubing Co., at Detroit, Mich., to points in Fulton County, Ohio, and points in Wood County and Sandusky County, Ohio, on and south of U.S. Highway 6 and to Whitehouse, Elmore, Oak Harbor, and Marblehead, Ohio; and (2) *coke*, from Toledo, Ohio, to the plantsite of the Johnson Coal Cubing Co., at Detroit, Mich., restricted to movements in bulk, in dump vehicles. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 133741 (Sub-No. 3), filed October 2, 1969. Applicant: OSBORNE TRUCKING CO., INC., 1008 Sierra Drive, Riverton, Wyo. 82501. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, from Riverton, Wyo., to points in Colorado, under contract with U.S. Plywood Champion Papers Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Casper, or Cheyenne, Wyo., or Denver, Colo.

No. MC 133997 (Sub-No. 2), filed October 8, 1969. Applicant: JAMES S. SMITH, Fairfax, Mo. 64446. Applicant's representative: Richard E. McFadin, 1920 Swift Avenue, North Kansas City, Mo. 64116. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Loose sand and gravel*, from Hopper Brothers quarry at or near Weeping Water, Nebr., and Limmie & Richey Quarries at or near Plattsmouth, Nebr., to Watson and Tarkio, Mo.; under contract with Tri-City Concrete Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, or St. Joseph, Mo.

No. MC 134010 (Correction), filed August 25, 1969, published FEDERAL REGISTER issue of October 2, 1969, and re-published as corrected, this issue. Applicant: BENJAMIN J. THOMPSON, JR. AND MARLYN M. THOMPSON, a Partnership, doing business as THOMPSON TRUCKING SERVICE, 2560 42d Street, Pennsauken, N.J. 08010. Applicant's representative: Alan Kahn, 1920, Two Penn Center Plaza, Philadelphia, Pa. 19102. NOTE: The purpose of this republication is to correct applicants trade name to THOMPSON TRUCKING SERVICE in lieu of THOMPSON'S TRUCKING SERVICE as shown in previous publication.

No. MC 134047, filed September 23, 1969. Applicant: BIG RED CHIEF, INC., 97 Fourth Street, Brooklyn Street, Brooklyn, N.Y. 11231. Applicant's representative: Blanton P. Bergen, 137 East 36th Street, New York, N.Y. 10016. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Glass, in boxes, cases, and crates, from points in the New York, N.Y., commercial zone, to points in Fairfield, Hartford, Litchfield, and New Haven Counties, Conn.; Columbia, Dutchess, Greene, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester Counties, N.Y.; Bucks, Carbon, Chester, Delaware, Lackawanna, Lehigh, Luzerne, Montgomery, Monroe, Northampton, Philadelphia, Pike, Susquehanna, and Wayne Counties, Pa.; and points in all counties of New Jersey. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134085, filed September 30, 1969. Applicant: TRANSLORIC TRUCKING CORP., 720 Tonnele Avenue, Jersey City, N.J. 07306. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, between points in the New York, N.Y., commercial zone as defined by the Commission, restricted to shipments having prior or subsequent movement by water. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 134087, filed October 3, 1969. Applicant: ROY STEVENS, doing business as ROY "TUG" STEVENS, Illinois State Fairgrounds, Springfield, Ill. 62705. Applicant's representative: Raymond L. Terrell, Suite 803-4, Myers Building, Springfield, Ill. 62701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Horses other than ordinary farm animals, between points in the United States (except Alaska and Hawaii). NOTE: Applicant states it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 134088, filed October 3, 1969. Applicant: FORD L. WRIGHT & MARIE A. WRIGHT, a partnership, doing business as ALL-AMERICAN MOVING &

STORAGE, 3091 Bellbrook Center Drive, Memphis, Tenn. 38116. Applicant's representative: John Paul Jones, 189 Jefferson Avenue, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Used household goods, between points in Tipton, Shelby, and Fayette Counties, Tenn.; De Soto County, Mo.; and Crittenden County, Ark., restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic. NOTE: Applicant states that it does not intend to tack. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 134090 (Sub-No. 1), filed October 6, 1969. Applicant: ALL BEST TRANSFER AND WAREHOUSE, INC., 405 Division Street, Elizabeth, N.J. 07201. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is distributed by a premium stamp redemption center in the redemption of premium stamps, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, from New York, N.Y., to Elizabethport (Union County) N.J., under contract with Top Value Enterprises, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 134094, filed October 6, 1969. Applicant: HEIGHT'S SERVICE, INC., 521 East Nevada Avenue, St. Paul, Minn. 55101. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Malt beverages and related advertising materials, premiums, and malt beverage dispensing equipment, in mixed loads with malt beverages, from St. Paul, Minn., to Chicago Heights, Ill., restricted to a transportation service to be performed under contract with Wanda Provost, doing business as: Heights Beverage Co., of Chicago Heights, Ill.; (2) (a) carbonated beverages and carbonated beverage extracts and syrups, in mixed loads with carbonated beverages, from Chicago, Ill., to Minneapolis, Minn.; and (b) carbonated beverages, from Minneapolis, Minn., to points in Iowa, the Upper Peninsula of Michigan, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to a transportation service to be performed under contract with Canada Dry Bottling Co., of Mid-Central, Inc., Minneapolis, Minn.; and (3) intoxicating beverages, including wines, from Chicago, Peoria, and Plainfield, Ill.; Louisville and Owensboro, Ky.; and Lynchburg, Tenn.; to St. Paul, Minn.,

restricted to a transportation service to be performed under contract with Johnson Bros. Wholesale Liquor Co., St. Paul, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 124679 (Sub-No. 30), filed October 6, 1969. Applicant: C. R. ENGLAND & SONS, INC., 228 West Fifth South, Salt Lake City, Utah 84101. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Yeast, breadmaking compounds, and ingredients, from Oakland, Calif., to points in Idaho, Oregon, Washington, and Utah. NOTE: Applicant presently holds contract carrier authority under its permit MC 123813 Sub Nos. 2 and Sub-4, therefore dual operations may be involved. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 144), filed October 6, 1969. Applicant: GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, Ohio 44113. Applicant's representative: Barrett Elkins (same address as above). Authority sought to operate as a common carrier, by motor vehicles, over regular routes, transporting: Passengers and their baggage and express and newspapers in the same vehicle with passengers, from Washington, D.C., over U.S. Highway 29, through Silver Spring, Md., to the junction of Maryland State Highway 97, thence over Maryland State Highway 97 to its junction with Interstate Highway 495, thence over Interstate Highway 495 to its junction with Interstate Highway 70S, thence over Interstate Highway 70S to its junction with Maryland State Highway 28 in Rockville, Md., and return over the same route. Restricted against the transportation of passengers whose entire ride is between Washington, D.C., and Rockville, Md., and/or intermediate points, and serving Rockville, Md., for the purpose of joinder only. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Silver Spring, Md., or Washington, D.C.

No. MC 44770 (Sub-No. 13), filed September 15, 1969. Applicant: ZEPHYR LINES, INCORPORATED, 1114 Currie Street, Minneapolis, Minn. Applicant's representative: Joseph J. Dudley, W-1260, First National Bank Building, St. Paul, Minn. 55101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage and express and newspapers in the same vehicles with passengers (1) between Minneapolis and Canby, Minn., from Minneapolis over Minnesota Highway 7 to the junction with Minnesota Highway 41, thence over Minnesota Highway 41 to Minnesota Highway 5, thence over Minnesota Highway 5 to Gaylord, Minn., thence over Minnesota Highway 19 to

Marshall, Minn., thence over Minnesota Highway 68 to Canby, Minn., and return over the same route; (2) between Minneapolis, Minn., and Watertown, S. Dak., over U.S. Highway 212; (3) between Madison, Wis., and the junction of U.S. Highway 212 and U.S. Highway 75 over U.S. Highway 75; (4) between St. Paul, Minn., and Webster, Wis., from St. Paul over U.S. Highway 61 to Forest Lake, Minn., thence over U.S. Highway 8 to junction Wisconsin Highway 35, thence over Wisconsin Highway 35 to Webster, Wis., and return over the same route; (5) to serve the following routes in Wisconsin: (a) Between Minnesota, Wisconsin State line and the junction Wisconsin Highway 65 near Robert's Corners, over Interstate Highway 94; (b) between junction Wisconsin Highway 65 and Interstate Highway 94 and Star Prairie, Wis., over Wisconsin Highway 65; (c) between Star Prairie, and Deer Park, Wis., over St. Croix County Highway H; (d) between Deer Park, Wis., and junction U.S. Highway 8 and Wisconsin Highway 46 over Wisconsin Highway 46; (e) between St. Croix Falls and Cameron over Wisconsin Highway 8; and (f) between Cameron and Rice Lake over Wisconsin Highway 53 serving all intermediate points in connection with all of the above-described routes. Note: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn.

No. MC 134079, filed September 25, 1969. Applicant: BUCCANEER TRANSPORT, INC., 408 U.S. Highway 46, Township of Mine Hill, N.J. 07801. Applicant's representative: Arthur G. D'Alessandro, 1390 Valley Road, Stirling, N.J. 07980. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers*, in special and charter operations, from points in Morris and Sussex Counties, N.J., to points in the Borough of Manhattan and New York, N.Y., and return. Note: Applicant states that the proposed service will be in the transportation by bus of passengers who have previously contracted to be picked up on a regular basis in the early morning on regular business days at their respective residences in Morris and Sussex Counties in New Jersey or at predesignated pickup points in the immediate vicinity thereof and transported from such places to their respective places of employment in the Borough of Manhattan, N.Y., or at predesignated discharge points in the immediate vicinity thereof and to again pickup said same passengers at said locations in New York City during the late afternoon on regular business days and transport them to their respective residences as heretofore described. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or Washington, D.C.

APPLICATION OF WATER CARRIER

No. W-757 (Sub-No. 17) (AMERICAN PRESIDENT LINES, LTD., Extension—BALTIMORE), filed October 9, 1969. Applicant: AMERICAN PRESIDENT LINES, LTD., 601 California Street, San Francisco, Calif. Authority sought to

operate as a common carrier, by water in interstate or foreign commerce in the transportation of passengers and their baggage, in year round operations, between Baltimore, Md., Hampton Roads ports, Va., and Charleston, S.C., on the one hand, and, on the other, Los Angeles and San Francisco, Calif.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130100, filed October 8, 1969. Applicant: THE MUSKINGUM MOTOR CLUB COMPANY, a corporation, doing business as THE AAA MUSKINGUM MOTOR CLUB, 1120 Maple Avenue, Zanesville, Ohio 43701. Applicant's representative: Taylor C. Burneson, Suite 1680, 88 East Broad Street, Columbus, Ohio 43215. For a license (BMC 5) to engage in operations as a broker at Zanesville, Ohio, in arranging for transportation in interstate or foreign commerce of passengers and their baggage, in special and charter operations, beginning and ending at points in Muskingum County, Ohio, and extending to points in the United States, including Alaska and Hawaii.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 531 (Sub-No. 254), filed August 11, 1969. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum oils and greases*, in bulk, in tank vehicles, from points in Jefferson County, Tex., to points in Illinois, Indiana, Michigan, Missouri, North Carolina, Ohio, Pennsylvania, and West Virginia. Note: Applicant states that tacking could take place in connection with its present authority in MC 531 Sub 21 at Lake Charles to perform a through service to points in Indiana, Missouri, North Carolina, Pennsylvania, Ohio, and West Virginia. Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-12892; Filed, Oct. 29, 1969;
8:48 a.m.]

[Notice 435]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 27, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the

order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71652—Corrected. By order of October 3, 1969, the Motor Carrier Board approved the transfer to Action Enterprises, Inc., Phoenix, Ariz., of certificate of registration No. MC-57329 (Sub-No. 2) issued June 1, 1965, to Westward Transfer Co., a corporation, Phoenix, Ariz., authorizing transportation in interstate of Arizona. Donald J. Kenney, the State of Arizona. Donald J. Kennedy, 1212 Arizona Title Building, Phoenix, Ariz. 85003, attorney for applicants. Note: Republished to show the State of Arizona as the State involved rather than California shown in error in previous publication.

No. MC-FC-71674. By order of October 22, 1969, the Motor Carrier Board approved the transfer to Biss Tours, Inc., Flushing, N.Y., of the License in No. MC-12290 issued August 23, 1966, to Heritage Tours, Inc., New York, N.Y., authorizing the holder to engage in operations as a broker at New York, N.Y., in the transportation of passengers and their baggage, between New York, N.Y., on the one hand, and, on the other, points in the United States (except America, Copake, and Kent, N.Y., Salisbury, Conn., and points in Alaska and Hawaii). Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102, and Milton Rosenkranz, 921 Bergen Avenue, Jersey City, N.J. 07306, attorneys for applicants.

No. MC-FC-71675. By order of October 22, 1969, the Motor Carrier Board approved the transfer to Martin Motor Lines, Inc., Winston-Salem, N.C., of the operating rights in permit No. MC-98885 (Sub-No. 2) and in certificate No. MC-129608 issued April 21, 1967, and February 13, 1968, respectively, to Paul F. Martin, doing business as Martin Motor Lines, Winston-Salem, N.C., authorizing the transportation of corrugated boxes, from the plantsite of Container Corporation of America in Cleveland County, N.C., to points in South Carolina and those in Georgia on and north of U.S. Highway 80; and furniture and textiles, between points in North Carolina bounded on the west by the western boundaries of Haywood and Transylvania Counties and on the east by the eastern boundaries of Halifax, Nash, Wilson, Wayne, Sampson, Bladen, and Robeson Counties. Dual operations were approved. James E. Humphreys, Jr., Post Office Drawer 593, Winston-Salem, N.C. 27101, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-12978; Filed, Oct. 29, 1969;
8:50 a.m.]

[Notice 931]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 27, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the

new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the *FEDERAL REGISTER*, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the *FEDERAL REGISTER* publication, within 15 calendar days after the date of notice of the filing of the application is published in the *FEDERAL REGISTER*. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 19936 (Sub-No. 12 TA), filed October 21, 1969. Applicant: R. D. FOWLER MOTOR LINES, INC., 2702 Westchester Drive, Post Office Box 1128, High Point, N.C. 27262. Applicant's representative: Fred C. Peters (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, crated, from the counties of Guilford, Forsyth, Randolph, Alamance, Davidson, Orange, and Surry, N.C., to District of Columbia, and points in Maryland, Pennsylvania, New Jersey, New York, and Delaware, for 180 days. Supporting shippers: There are approximately (16) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 33641 (Sub-No. 89 TA), filed October 23, 1969. Applicant: IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110. Applicants' representative: Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points on the Island of Oahu, State of Hawaii, restricted to traffic originating at or destined to points beyond Hawaii, and further restricted to traffic moving under joint rates with water carriers under the provisions of section 216(c) of the Interstate Commerce Act, for 180 days. Note: Applicant does not intend to tack the authority applied for to other authority held by it; however, upon a grant, applicant will publish joint rates with water carriers serving Oahu and

thus be able to offer through routing between Oahu and beyond points. Supporting shippers: There are approximately 257 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 55581 (Sub-No. 18 TA), filed October 22, 1969. Applicant: UTAH PACIFIC TRANSPORT, CO., 1891 West 2100 South Street, Salt Lake City, Utah 84119. Applicant's representative: D. Acklie, Post Office Box 806, Lincoln Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and casing*, from Clackamas, Oreg., to points in Wyoming, for 180 days. Supporting shipper: Northwest Pipe & Casing Co., 9200 Southeast Lawnfield Road, Clackamas, Oreg. 97105 (Ralph C. Elle, President). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 102616 (Sub-No. 846 TA), filed October 23, 1969. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: James Annand (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen tetroxide*, in bulk, in specially designed tank vehicles, moving under special permit, between Vicksburg, Miss., and Air Force Bases and Missile Test Facilities located in Arizona, Arkansas, California, Colorado, Florida, Kansas, New Mexico, Nevada, and Ohio, for 180 days. Supporting shipper: Department of Defense, Department of the Army, Washington, D.C. 20315. Send protests to: G. J. Baccell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, Cleveland, Ohio 44199.

No. MC 107002 (Sub-No. 382 TA), filed October 23, 1969. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blackstrap molasses*, in bulk, in tank vehicles, from Mobile, Ala., to points in Florida, Louisiana, and Mississippi, for 180 days. Supporting shipper: Pacific Molasses Co., 215 Market Street, San Francisco, Calif. 94105. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 111467 (Sub-No. 19 TA), filed October 22, 1969. Applicant: ARTHUR J. PAPE, doing business as ART PAPE TRANSFER, 1381 Rockdale Road, Du-

bueque, Iowa 52001. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from the stockpiles and storage facilities of Diamond Crystal Salt Co. located in Lee County, Iowa, to points in Missouri, and to points in Illinois located on and west of U.S. Highway 51, for 180 days. Supporting shipper: Diamond Crystal Salt Co., St. Clair, Mich. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 119668 (Sub-No. 3 TA), filed October 22, 1969. Applicant: FOREST RATLIFF AND AUBURN RATLIFF, a partnership, doing business as RATLIFF TRUCKING SERVICE, Post Office Box 366, Oakwood, Va. 24631. Applicant's representatives: Richardson and Hancock, 602 Law and Commerce Building, Bluefield, W. Va. 24001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock and poultry feed*, from Cincinnati, Ohio, to points in Tazewell County, Va., for 180 days. Supporting shipped: Southern States Tazewell Cooperative, Inc., Tazewell, Va. Send protests to: Clatin M. Harmon, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 120979 (Sub-No. 2 TA), filed October 20, 1969. Applicant: BRIGHTWOOD TRANSFER, INC., 4000 East 16th Street, Indianapolis, Ind. 46213. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Wayne, Park, Putnam, Vigo, Owen, Monroe, Morgan, Brown, Johnson, Bartholomew, Decatur, Rush, Fayette, Shelby, Marion, Hendricks, Hancock, Delaware, Randolph, Madison, Grant, Tipton, Hamilton, Howard, Clinton, Tippecanoe, Fountain, Montgomery Counties, Ind.; restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shippers: Karevan, Inc., Post Office Box 9240, Queen Anne Station, Seattle, Wash. 98109; Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash. 98133; Home-Pack Transport, Inc., 57-48 49th Street, Maspeth, N.Y. 11378. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 124174 (Sub-No. 74 TA), filed October 23, 1969. Applicant: MONSEN

TRUCKING CO., Highway 71 and 18 North, Spencer, Iowa 51301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, packinghouse products, as set forth in sections A and C, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *foodstuffs*, in mixed truckloads with meats and meat products as described above, from Austin, Minn., to points in Virginia on and east of Interstate Highway 95 and on and north of U.S. Highway 33, Sullivan County, Tenn., and Hertford County, N.C., for 180 days. Supporting shipper: Geo. A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 128598 (Sub-No. 4 TA), filed October 22, 1969. Applicant: BEVARD BROTHERS, INC., 4714 St. Barnabas Road SE., Silver Hill, Md. 20031. Applicant's representative: F. Ortman, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gravel*, from Clinton, Md., to Goshen, Va., for 150 days. Supporting shipper: Marion W. Bevard, Inland Materials Inc., Clinton, Md. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 2210, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 133399 (Sub-No. 2 TA), filed October 22, 1969. Applicant: IOWA

GATEWAY, INC., doing business as IOWA GATEWAY TERMINAL, River Road, Keokuk, Iowa 52632. Applicant's representative: Robert F. Holz, Jr., 400 Empire Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Iowa Gateway Terminal, Keokuk, Iowa, to points in Iowa, Missouri, and Illinois on and west of U.S. Highway 51, for 180 days. Supporting shipper: Diamond Crystal Salt Co., St. Clair, Mich. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 134115 TA, filed October 22, 1969. Applicant: NEW BREED LEASING CORPORATION, 104 Allen Boulevard, East Farmingdale, N.Y. 11735. Applicant's representative: Arthur Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Detonator fuses, classes A, B, and C explosives, materials and supplies used in the preparation and packaging of the above commodities*, between Amityville and Copiague, N.Y., on the one hand, and, on the other, points in Northeast, White Oak, and Aberdeen, Md.; Washington, D.C.; Atglen, Pa.; Simsbury, Avon, Hartford, and Bethany, Conn.; Worcester and West Hartford, Mass.; and Cleveland and Euclid, Ohio, for 180 days. Supporting shipper: Fairchild Defense Products, Division of Fairchild Camera & Instrument Corp., 431 Bayview Avenue, Copiague, Long Island, N.Y. 11726. Send protests to: Anthony Chiusano, District

Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-12977; Filed, Oct. 29, 1969; 8:50 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 27, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the *FEDERAL REGISTER*.

LONG-AND-SHORT HAUL

FSA No. 41790—*Ethyl alcohol to Chicago, Ill., and group points*. Filed by Southwestern Freight Bureau, agent (No. B-90), for interested rail carriers. Rates on ethyl alcohol, undenatured, in tank carloads, as described in the application, from specified points in Louisiana and Texas, to Chicago, Ill., and points taking same rates.

Grounds for relief—Rate relationship.

Tariff—Supplement 14 to Southwestern Freight Bureau, agent, tariff ICC 4867.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-12976; Filed, Oct. 29, 1969; 8:49 a.m.]

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FEDERAL REGISTER

VOLUME 34 • NUMBER 209

Thursday, October 30, 1969 • Washington, D.C.

PART II

EXECUTIVE ORDER 11490

•
Assigning Emergency
Preparedness Functions
to Federal Departments
and Agencies



THE

RECORD

OF THE

PROCEEDINGS

OF THE

ANNUAL MEETING

OF THE

ASSOCIATION

OF THE

AMERICAN

PHYSIOLOGICAL

SOCIETY

HELD AT

CHICAGO

Title 3—THE PRESIDENT

Executive Order 11490

ASSIGNING EMERGENCY PREPAREDNESS FUNCTIONS TO FEDERAL DEPARTMENTS AND AGENCIES

WHEREAS our national security is dependent upon our ability to assure continuity of government, at every level, in any national emergency type situation that might conceivably confront the nation; and

WHEREAS effective national preparedness planning to meet such an emergency, including a massive nuclear attack, is essential to our national survival; and

WHEREAS effective national preparedness planning requires the identification of functions that would have to be performed during such an emergency, the assignment of responsibility for developing plans for performing these functions, and the assignment of responsibility for developing the capability to implement those plans; and

WHEREAS the Congress has directed the development of such national emergency preparedness plans and has provided funds for the accomplishment thereof; and

WHEREAS this national emergency preparedness planning activity has been an established program of the United States Government for more than twenty years:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and pursuant to Reorganization Plan No. 1 of 1958 (72 Stat. 1799), the National Security Act of 1947, as amended, the Defense Production Act of 1950, as amended, and the Federal Civil Defense Act, as amended, it is hereby ordered as follows—

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30	General Provisions.

Part 1—Purpose and Scope

SECTION 101 Purpose. This order consolidates the assignment of emergency preparedness functions to various departments and agencies heretofore contained in the 21 Executive orders and 2 Defense Mobilization orders listed in Section 3015 of this order. Assignments have been adjusted to conform to changes in organization which have occurred subsequent to the issuance of those Executive orders and Defense Mobilization orders.

SEC. 102 Scope. (a) This order is concerned with the emergency national planning and preparedness functions of the several departments and agencies of the Federal Government which complement the military readiness planning responsibilities of the Department of Defense; together, these measures provide the basic foundation for our overall national preparedness posture, and are fundamental to our ability to survive.

(b) The departments and agencies of the Federal Government are hereby severally charged with the duty of assuring the continuity of the Federal Government in any national emergency type situation that might confront the nation. To this end, each department and agency with essential functions, whether expressly identified in this order or not, shall develop such plans and take such actions, including but not limited to those specified in this order, as may be necessary to assure that it will be able to perform its essential functions, and continue as a viable part of the Federal Government, during any emergency that might conceivably occur. These include plans for maintaining the continuity of essential functions of the department or agency at the seat of government and elsewhere, through programs concerned with: (1) succession to office; (2) predelegation of emergency authority; (3) safekeeping of essential records; (4) emergency relocation sites supported by communications and required services; (5) emergency action steps; (6) alternate headquarters or command facilities; and (7) protection of Government resources, facilities, and personnel. The continuity of Government activities undertaken by the departments and agencies shall be in accordance with guidance provided by, and subject to evaluation by, the Director of the Office of Emergency Preparedness.

(c) In addition to the activities indicated above, the heads of departments and agencies described in Parts 2 through 29 of this order shall: (1) prepare national emergency plans, develop preparedness programs, and attain an appropriate state of readiness with respect to the functions assigned to them in this order for all conditions of national emergency; (2) give appropriate consideration to emergency preparedness factors in the conduct of the regular functions of their agencies, particularly those functions considered essential in time of emergency, and (3) be prepared to implement, in the event of an emergency, all appropriate plans developed under this order.

SEC. 103 Presidential Assistance. The Director of the Office of Emergency Preparedness, in accordance with the provisions of Executive Order No. 11051 of September 27, 1962, shall advise and assist the President in determining national preparedness goals and policies for the performance of functions under this order and in coordinating the performance of such functions with the total national preparedness program.

SEC. 104 General and Specific Functions. The functions assigned by Part 30, General Provisions, apply to all departments and agencies having emergency preparedness responsibilities. Specific functions are assigned to departments and agencies covered in Parts 2 through 29.

SEC. 105 Construction. The purpose and legal effect of the assignments contained in this order do not constitute authority to implement the emergency plans prepared pursuant to this order. Plans so developed may be effectuated only in the event that authority for such effectuation is provided by a law enacted by the Congress or by an order or directive issued by the President pursuant to statutes or the Constitution of the United States.

Part 2—Department of State

SECTION 201 Functions. The Secretary of State shall prepare national emergency plans and develop preparedness programs to permit modification or expansion of the activities of the Department of State and agencies, boards, and commissions under his jurisdiction in order to meet all conditions of national emergency, including attack upon the United States. The Secretary of State shall provide to all other departments and agencies overall foreign policy direction, coordination, and supervision in the formulation and execution of those emergency preparedness activities which have foreign policy implications, affect foreign relations, or depend directly or indirectly, on the policies and capabilities of the Department of State. The Secretary of State shall develop policies, plans, and procedures for carrying out his responsibilities in the conduct of the foreign relations of the United States under conditions of national emergency, including, but not limited to (1) the formulation and implementation, in consultation with the Department of Defense and other appropriate agencies, and the negotiation of contingency and post-emergency plans with our allies and of the intergovernmental agreements and arrangements required by such plans; (2) formulation, negotiation, and execution of policy affecting the relationships of the United States with neutral States; (3) formulation and execution of political strategy toward hostile or enemy States, including the definition of war objectives and the political means for achieving those objectives; (4) maintenance of diplomatic and consular representation abroad; (5) reporting and advising on conditions overseas which bear upon the national emergency; (6) carrying out or proposing economic measures with respect to other nations, including coordination with the export control functions of the Secretary of Commerce; (7) mutual assistance activities such as ascertaining requirements of the civilian economies of other nations, making recommendations to domestic resource agencies for meeting such requirements, and determining the availability of and making arrangements for obtaining foreign resources required by the United States; (8) providing foreign assistance, including continuous supervision and general direction of authorized economic and military assistance programs, and determination of the value thereof; (9) protection or evacuation of American citizens and nationals abroad and safeguarding their property; (10) protection and/or control of international organization and foreign diplomatic, consular, and other official personnel and property, or other assets, in the United States; (11) documentary control of persons seeking to enter or leave the United States; and (12) regulation and control of exports of items on the munitions list.

Part 3—Department of the Treasury

SECTION 301 Functions. The Secretary of the Treasury shall develop policies, plans, and procedures for the performance of emergency functions with respect to (1) stabilization aspects of the monetary, credit, and financial system; (2) stabilization of the dollar in relation to foreign currencies; (3) collection of revenue; (4) regulation of financial institutions; (5) supervision of the Federal depository system; (6) direction of transactions in government securities; (7) tax and debt policies; (8) participation in bilateral and multilateral financial arrangements with foreign governments; (9) regulation of foreign assets in the United States and of foreign financial dealings (in consultation with the Secretaries of State and Commerce); (10) development of procedures for the manufacture and/or issuance and redemption of securities, stamps, coins, and currency; (11) development of systems for the issuance and payment of Treasury checks; (12) maintenance of the central government accounting and financial reporting system; (13) administration of customs laws, tax laws, and laws on control of alcohol, alcoholic beverages, tobacco, and firearms; (14) suppression of counterfeiting and forgery of government securities, stamps, coins, and currency; (15) protection of the President and the Vice President and other designated persons; (16) granting of loans (including participation in or guarantees of loans) for the

expansion of capacity, the development of technological processes, or the production of essential material; and (17) to the extent that such functions have not been transferred to the Secretary of Transportation, enforcement of marine inspection and navigation laws.

SEC. 302 *Financial Coordination.* The Secretary shall assume the initiative in developing plans for implementation of national policy on sharing war losses and for the coordination of emergency monetary, credit, and Federal benefit payment programs of those departments and agencies which have responsibilities dependent on the policies or capabilities of the Department.

Part 4—Department of Defense

SECTION 401 *Functions.* In addition to the civil defense functions assigned to the Secretary of Defense by Executive Order No. 10952, the Secretary of Defense shall perform the following emergency preparedness functions:

(1) Provide specific strategic guidance as required for emergency preparedness planning and programming, including, for example, guidance regarding such factors as accessibility of foreign sources of supply and estimated shipping loss discounts and aircraft losses in the event of war.

(2) Develop and furnish quantitative and time-phased military requirements for selected end-items, consistent with defined military concepts, and supporting requirements for materials, components, production facilities, production equipment, petroleum, natural gas, solid fuels, electric power, food, transportation, and other services needed to carry out specified Department of Defense current and mobilization procurement, construction, research and development, and production programs. The items and supporting resources to be included in such requirements, the periods to be covered, and the dates for their submission to the appropriate resource agency will be determined by mutual agreement between the Secretary of Defense and the head of the appropriate resource agency.

(3) Advise and assist the Office of Emergency Preparedness in developing a national system of production urgencies.

(4) Advise and assist the Office of Emergency Preparedness in developing a system, in conjunction with the Department of State, for the international allocation of critical materials and products among the United States and the various foreign claimants in the event of an emergency, including an attack on the United States.

(5) Plan for and administer priorities and allocations authority delegated to the Department of Defense. Authorize procurement and production schedules and make allotments of controlled materials pursuant to program determinations of the Office of Emergency Preparedness.

(6) Assist the Department of Commerce and other appropriate agencies in the development of the production and distribution controls plans for use in any period of emergency.

(7) Develop with industry, plans for the procurement and production of selected military equipment and supplies needed to fulfill emergency requirements, making maximum use of plants in dispersed locations, and, where essential and appropriate, providing for alternative sources of supply in order to minimize the effects of enemy attack.

(8) Develop with industry, plans and programs for minimizing the effect of attack damage to plants producing major items of military equipment and supply.

(9) Recommend to the Office of Emergency Preparedness measures for overcoming potential deficiencies in production capacity to produce selected military supplies and equipment needed to fulfill emergency requirements, when necessary measures cannot be effected by the Department of Defense.

(10) Furnish information and recommendations, when requested

by the Office of Emergency Preparedness, for purposes of processing applications for defense loans under Title III of the Defense Production Act of 1950, as amended.

(11) Furnish advice and assistance on the utilization of strategic and critical materials in defense production, including changes that occur from time to time.

(12) Analyze problems that may arise in maintaining an adequate mobilization production base in military-product industries and take necessary actions to overcome these problems within the limits of the authority and funds available to the Department of Defense.

(13) Assist the Secretary of Commerce with respect to the identification and evaluation of facilities important to the national defense.

(14) Advise and assist the Office of Emergency Preparedness in the development and review of standards for the strategic location and physical security of industries, services, government, and other activities for which continuing operation is essential to national security, and exercise physical security cognizance over the facilities assigned to him for such purpose.

(15) Develop and operate damage assessment systems and assist the Office of Emergency Preparedness and other departments and agencies in their responsibilities as stated in Section 3002(2); participate with the Office of Emergency Preparedness in the preparation of estimates of potential damage from enemy attack.

(16) Advise and assist the Office of Emergency Preparedness in the development of over-all manpower policies to be instituted in the event of an emergency, including an attack on the United States, including the provision of information relating to the size and composition of the Armed Forces.

(17) Advise on existing communications facilities and furnish military requirements for commercial communications facilities and services in planning for and in event of an emergency, including an attack on the United States.

(18) Furnish military requirements for all forms of transportation and transportation facilities in planning for and in the event of emergency, including an attack upon the United States.

(19) Assist the Office of Emergency Preparedness in preparation of legislative programs and plans for coordinating nonmilitary support of emergency preparedness programs.

(20) Develop plans and procedures for the Department of Defense utilization of nonindustrial facilities in the event of an emergency in order to reduce requirements for new construction and to provide facilities in a minimum period of time.

(21) Advise and assist the Office of Emergency Preparedness in (1) determining what key foreign facilities and operating rights thereto are important to the security of the United States, and (2) obtaining through appropriate channels protection against sabotage.

(22) Develop plans and procedures to carry out Department of Defense responsibilities stated in the National Censorship Agreement between the Department of Defense and the Office of Emergency Preparedness.

(23) Advise and assist the Department of State in planning for the evacuation of dependents from overseas areas, United States teachers and administrators in the overseas dependents schools, and such other United States citizens as may be working in United States schools overseas.

(24) Develop plans for implementation of approved Department of State/Department of Defense policies and procedures for the protection and evacuation of United States citizens and certain designated aliens abroad.

(25) Develop plans and procedures for the provision of logistical support to members of foreign forces, their employees and dependents

as may be present in the United States under the terms of bilateral or multilateral agreements which authorize such support in the event of a national emergency.

(26) Develop with the Department of Transportation and Federal Communications Commission plans and programs for the control of air traffic, civil and military, during an emergency.

(27) Develop with the Federal Communications Commission and the Office of Telecommunications Management (OEP) plans and programs for the emergency control of all devices capable of emitting electromagnetic radiation.

Part 5—Department of Justice

SECTION 501 *Functions.* The Attorney General shall perform the following emergency preparedness functions:

(1) *Emergency documents and measures.* Provide advice, as appropriate, with respect to any emergency directive or procedure prepared by a department or agency as a part of its emergency preparedness function.

(2) *Industry support.* As appropriate, review the legal procedures developed by the Federal agencies concerned to be instituted if it becomes necessary for the Government to institute extraordinary measures with respect to vital production facilities, public facilities, communications systems, transportation systems, or other facility, system, or service essential to national survival.

(3) *Judicial and legislative liaison.* In cooperation with the Office of Emergency Preparedness, maintain liaison with Federal courts and with the Congress so there will be mutual understanding of Federal emergency plans involving law enforcement and the exercise of legal powers during emergencies of various magnitudes.

(4) *Legal advice.* Develop emergency plans for providing legal advice to the President, the Cabinet, and the heads of Executive departments and agencies wherever they may be located in an emergency, and provide emergency procedures for the review as to form and legality of Presidential proclamations, Executive orders, directives, regulations, and documents, and of other documents requiring approval by the President or by the Attorney General which may be issued by authorized officers after an armed attack.

(5) *Alien control and control of entry and departure.* Develop emergency plans for the control of alien enemies and other aliens within the United States and, in consultation with the Department of State and Department of the Treasury, develop emergency plans for the control of persons attempting to enter or leave the United States. These plans shall specifically include provisions for the following:

(a) The location, restraint, or custody of alien enemies.

(b) Temporary detention of alien enemies and other persons attempting to enter the United States pending determination of their admissibility.

(c) Apprehension of deserting alien crewmen and stowaways.

(d) Investigation and control of aliens admitted as contract laborers.

(e) Control of persons entering or departing from the United States at designated ports of entry.

(f) Increased surveillance of the borders to preclude prohibited crossings by persons.

(6) *Alien property.* Develop emergency plans, in consultation with the Department of State, for the seizure and administration of property of alien enemies under provisions of the Trading with the Enemy Act.

(7) *Security standards.* In consultation with the Department of Defense and with other executive agencies, to the extent appropriate,

prepare plans for adjustment of security standards governing the employment of Federal personnel and Federal contractors in an emergency.

(8) *Drug Control.* Develop emergency plans and procedures for the administration of laws governing the import, manufacture, and distribution of narcotics. Consult with and render all possible aid and assistance to the Office of Emergency Preparedness, the Department of Health, Education, and Welfare, and the General Services Administration in the allocation, distribution, and, if necessary, the replenishment of Government stockpiles of narcotic drugs.

SEC. 502 *Civil Defense Functions.* In consonance with national civil defense programs developed by the Department of Defense, the Attorney General shall:

(1) *Local law enforcement.* Upon request, consult with and assist the Department of Defense to plan, develop, and distribute materials for use in the instruction and training of law enforcement personnel for civil defense emergency operations; develop and carry out a national plan for civil defense instruction and training for enforcement officers, designed to utilize to the maximum extent practicable the resources and facilities of existing Federal, State, and local police schools, academies, and other appropriate institutions of learning; and assist the States in preparing for the conduct of intrastate and interstate law enforcement operations to meet the extraordinary needs that would exist for emergency police services under conditions of attack or imminent attack.

(2) *Penal and correctional institutions.* Develop emergency plans and procedures for the custody and protection of prisoners and the use of Federal penal and correctional institutional resources, when available, for cooperation with local authorities in connection with mass feeding and housing, for the storage of standby emergency equipment, for the emergency use of prison hospitals and laboratory facilities, for the continued availability of prison-industry products, and, in coordination with the Department of Labor, for the development of Federal prisoner skills to appropriately augment the total supply of manpower, advise States and their political subdivisions regarding the use of State and local prisons, jails, and prisoners for the purpose of relieving local situations and conditions arising from a state of emergency.

(3) *Identification and location of persons.* Develop emergency plans and procedures for the use of the facilities and personnel of the Department of Justice in assisting the Department of Health, Education, and Welfare with the development of plans and procedures for the identification of the dead and the reuniting of families during a civil defense emergency.

Part 6—Post Office Department

SECTION 601 *Functions.* The Postmaster General shall prepare plans and programs for emergency mail service and shall cooperate with indicated Federal agencies, in accordance with existing agreements or directives, in the following national emergency programs:

(1) *Registering of persons.* Assist the Department of Health, Education, and Welfare in planning a national program and developing technical guidance for States, and directing Post Office activities concerned with registering persons and families for the purpose of receiving and answering welfare inquiries and reuniting families in civil defense emergencies. The program shall include procurement, transportation, storage, and distribution of safety notification and emergency change of address cards in quantities and localities jointly determined by the Department of Defense and the Post Office Department.

(2) *Other emergency programs.* (a) Censorship of international mails. (Department of Defense; Department of the Treasury; Office of Emergency Preparedness)

- (b) Provision for emergency mail service to Federal agencies at both regular and emergency sites. (General Services Administration)
- (c) Emergency registration of Federal employees. (Civil Service Commission)
- (d) Emergency leasing of space for Federal agencies. (General Services Administration)
- (e) Registration of enemy aliens. (Department of Justice)

Part 7—Department of the Interior

SECTION 701 *Résumé of Responsibilities.* The Secretary of the Interior shall prepare national emergency plans and develop preparedness programs covering (1) electric power; (2) petroleum and gas; (3) solid fuels; (4) minerals; and (5) water, as defined in Section 702 of this part.

SEC. 702 *Definitions.* As used in this part:

(1) "Electric power" means all forms of electric power and energy, including the generation, transmission, distribution, and utilization thereof.

(2) "Petroleum" means crude oil and synthetic liquid fuel, their products, and associated hydrocarbons, including pipelines for their movement and facilities specially designed for their storage.

(3) "Gas" means natural gas (including helium) and manufactured gas, including pipelines for their movement and facilities specially designed for their storage.

(4) "Solid fuels" means all forms of anthracite, bituminous, sub-bituminous, and lignitic coals, coke, and coal chemicals produced in the coke-making process.

(5) "Minerals" means all raw materials of mineral origin (except petroleum, gas, solid fuels, and source materials as defined in the Atomic Energy Act of 1954, as amended) obtained by mining and like operations and processed through the stages specified and at the facilities designated in an agreement between the Secretary of the Interior and the Secretary of Commerce as being within the emergency preparedness responsibilities of the Secretary of the Interior.

(6) "Water" means water from all sources except water after its withdrawal into a community system, or an emergency system for treatment, storage, and distribution for public use.

SEC. 703 *Resource functions.* With respect to the resources defined in Section 702, the Secretary of the Interior shall:

(1) *Minerals development.* Develop programs and encourage the exploration, development, and mining of strategic and critical minerals for emergency purposes.

(2) *Production.* Provide guidance and leadership to assigned industries in the development of plans and programs to insure the continuity of production in the event of an attack, and cooperate with the Department of Commerce in the identification and evaluation of essential facilities.

(3) *Water.* Develop plans with respect to water, including plans for the treatment and disposal, after use, of water after its withdrawal into a community system or an emergency system for treatment, storage, and distribution for public use. In developing any plans relating to water for use on farms and in food facilities, assure that those plans are in consonance with plans and programs of the Department of Agriculture.

(4) *Electric power and natural gas.* In preparedness planning for electric power and natural gas, the Federal Power Commission shall assist the Secretary of the Interior as set forth in Section 1901 of this order.

Part 8—Department of Agriculture

SECTION 801 *Résumé of Responsibilities.* The Secretary of Agriculture shall prepare national emergency plans and develop preparedness programs covering: (1) food resources, farm equipment, fertilizer, and food resource facilities as defined below; (2) lands under the jurisdiction of the Secretary of Agriculture; (3) rural fire control; (4) defense against biological and chemical warfare and radiological fallout pertaining to agricultural activities; and (5) rural defense information and education.

SEC. 802 *Definitions.* As used in this part:

(1) "Food resources" means all commodities and products, simple, mixed, or compound, or complements to such commodities or products, that are capable of being eaten or drunk, by either human beings or animals, irrespective of other uses to which such commodities or products may be put, at all stages of processing from the raw commodity to the products thereof in vendible form for human or animal consumption. For the purposes of this order, the term "food resources" shall also include all starches, sugars, vegetable and animal fats and oils, cotton, tobacco, wool, mohair, hemp, flax fiber, and naval stores, but shall not include any such material after it loses its identity as an agricultural commodity or agricultural product.

(2) "Farm equipment" means machinery, equipment, and repair parts manufactured primarily for use on farms in connection with the production or preparation for market or use of "food resources".

(3) "Fertilizer" means any product or combination of products for plant nutrition in form for distribution to the users thereof.

(4) "Food resource facilities" means plants, machinery, vehicles (including on farm), and other facilities (including farm housing) for the production, processing, distribution, and storage (including cold storage) of food resources, and for domestic distribution of farm equipment and fertilizer.

SEC. 803 *Functions.* With respect to food resources, food resource facilities, lands under the jurisdiction of the Secretary, farm equipment, and fertilizer, the Secretary of Agriculture shall:

(1) *Production, processing, storage, and distribution.* Develop plans for priorities, allocations, and distribution control systems and related plans, including control of use of facilities designed to provide adequate and continuing production, processing, storage, and distribution of essential food resources in an emergency, and to provide for the domestic distribution of farm equipment and fertilizer.

(2) *Stockpiles.* In addition to the food stockpile functions identified in Executive Order No. 10958, take all possible measures in the administration of Commodity Credit Corporation inventories of food resources to assure the availability of such inventories when and where needed in an emergency. The Secretary shall also develop plans and procedures for the proper utilization of agricultural items stockpiled for survival purposes.

(3) *Land management.* Develop plans and direct activities for the emergency protection, management, and utilization of the lands, resources, and installations under the jurisdiction of the Secretary of Agriculture and assist in the development of plans for the emergency operation, production, and processing of forest products in cooperation with other Federal, State, and private agencies.

SEC. 804 *Civil Defense Functions.* In consonance with national civil defense programs developed by the Department of Defense, the Secretary of Agriculture shall:

(1) *Rural fire defense.* In cooperation with Federal, State, and local agencies, develop plans for a national program and direct activities relating to the prevention and control of fires in the rural areas of the United States caused by the effects of enemy attack.

(2) *Biological, chemical, and radiological warfare defense.* Develop plans for a national program, direct Federal activities, and furnish technical guidance to State and local authorities concerning (a) diagnosis and strengthening of defensive barriers and control or eradication of diseases, pests, or chemicals introduced as agents of biological or chemical warfare against animals, crops, or products thereof; (b) protective measures, treatment, and handling of livestock, including poultry, agricultural commodities on farms or ranches, agricultural lands, forest lands, and water for agricultural purposes, any of which have been exposed to or affected by radiation. Plans shall be developed for a national program and direction of Federal activities to assure the safety and wholesomeness and to minimize losses from biological and chemical warfare, radiological effects, and other emergency hazards of livestock, meat and meat products, poultry and poultry products in establishments under the continuous inspection of the Department of Agriculture, and agricultural commodities and products owned by the Commodity Credit Corporation or by the Department of Agriculture.

(3) *Defense information and education.* Conduct a defense information and education program in support of the Department's emergency responsibilities.

Part 9—Department of Commerce

SECTION 901 *Résumé of Responsibilities.* The Secretary of Commerce shall prepare national emergency plans and develop preparedness programs covering:

(1) The production and distribution of all materials, the use of all production facilities (except those owned by, controlled by, or under the jurisdiction of the Department of Defense or the Atomic Energy Commission), the control of all construction materials, and the furnishing of basic industrial services except those involving the following:

(a) Production and distribution of and use of facilities for petroleum, solid fuels, gas, electric power, and water;

(b) Production, processing, distribution, and storage of food resources and the use of food resource facilities for such production, processing, distribution, and storage;

(c) Domestic distribution of farm equipment and fertilizer;

(d) Use of communications services and facilities, housing and lodging facilities, and health, education, and welfare facilities;

(e) Production, and related distribution, of minerals as defined in Subsection 702(5), and source materials as defined in the Atomic Energy Act of 1954, as amended; and the construction and use of facilities designated as within the responsibilities of the Secretary of the Interior;

(f) Distribution of items in the supply systems of, or controlled by, the Department of Defense and the Atomic Energy Commission;

(g) Construction, use, and management of civil aviation facilities; and

(h) Construction and use of highways, streets, and appurtenant structures.

(2) Federal emergency operational control responsibilities with respect to ocean shipping, ports, and port facilities, except those owned by, controlled by, or under the jurisdiction of the Department of Defense, and except those responsibilities of the Department of the Treasury with respect to the entrance and clearance of vessels. The following definitions apply to this part:

(a) "Ocean shipping" includes all overseas, coastwise, intercoastal, and Great Lakes shipping except that solely engaged in the transportation of passengers and cargo between United States ports on the Great Lakes.

(b) "Port" or "port area" includes any zone contiguous to or associated in the traffic network of an ocean or Great Lakes port, or outport location, including beach loading sites, within which facilities exist for transshipment of persons and property between domestic carriers and carriers engaged in coastal, intercoastal, and overseas transportation.

(c) "Port facilities" includes all port facilities, port equipment including harbor craft, and port services normally used in accomplishing the transfer or interchange of cargo and passengers between ocean-going vessels and other media of transportation, or in connection therewith (including the Great Lakes).

(3) Scientific and technological services and functions, essential to emergency preparedness plans, programs, and operations of the Federal departments and agencies, in which the Department of Commerce has the capability, including, but not limited to:

(a) Meteorological and related services;

(b) Preparation, reproduction, and distribution of nautical and aeronautical charts, geodetic, hydrographic, and oceanographic data, and allied services for nonmilitary purposes;

(c) Standards of measurement and supporting services; and,

(d) Research, development, testing, evaluation, application, and associated services and activities in the various fields and disciplines of science and technology in which the Department has special competence.

(4) Collection, compilation, and reporting of census information and the provision of statistical and related services, as required, for emergency planning and operations.

(5) Regulation and control of exports and imports, under the jurisdiction of the Department of Commerce, in support of national security, foreign policy, and economic stabilization objectives.

(6) Regulation and control of transfers of capital to, and reinvestment of earnings of, affiliated foreign nationals pursuant to authority conferred by Executive Order No. 11387 of January 1, 1968.

SEC. 902 *Production Functions*. Within the areas designated in section 901(1) hereof, the Secretary of Commerce shall:

(1) *Priorities and allocations*. Develop control systems for priorities, allocation, production, and distribution, including provisions for other Federal departments and agencies, as appropriate, to serve as allotting agents for materials and other resources made available under such systems for designated programs and the construction and operation of facilities assigned to them.

(2) *New construction*. Develop procedures by which new production facility construction proposals will be reviewed for appropriate location in light of such area factors as locational security, availability of labor, water, power, housing, and other support requirements.

(3) *Industry evaluation*. Identify and evaluate the national security essentiality of those products and services, and their producing or supporting facilities, which are of exceptional importance to mobilization readiness, national defense, or post-attack survival and recovery.

(4) *Production capability*. Analyze potential effects of attack on actual production capability, taking into account the entire production complex, including shortages of resources, and conduct studies as a basis for recommending pre-attack measures that would strengthen capabilities for post-attack production.

(5) *Loans for plant modernization*. Develop plans, in coordination with the Small Business Administration, for providing emergency assistance to essential small business establishments through direct loans or participation loans for the financing of production facilities and equipment.

SEC. 903. *Maritime Functions.* Within the areas designated in section 901(2) of this part, the Secretary of Commerce shall develop plans and procedures in consonance with international treaties, under coordinating authority of the Secretary of Transportation and in cooperation with other appropriate Federal agencies and the States and their political subdivisions, to provide for Federal operational control of ocean ports and shipping, including:

(1) *Shipping allocation.* Allocation of specific ocean shipping to meet the national requirements, including those for military, foreign assistance, emergency procurement programs, and those essential to the civilian economy.

(2) *Ship acquisition.* Provision of ships for ocean shipping by purchase, charter, or requisition, by breakout from the national defense reserve fleet, and by construction.

(3) *Operations.* Operation of ocean shipping, directly or indirectly.

(4) *Traffic control.* Provisions for the control of passengers and cargo through port areas to assure an orderly and continuous flow of such traffic.

(5) *Traffic priority.* Administration of priorities for the movement of passengers and cargo through port areas.

(6) *Port allocation.* Allocation of specific ports and port facilities to meet the needs of the Nation and our allies.

(7) *Support activities.* Performance of supporting activities needed to carry out the above-described functions, such as: ascertaining national support requirements for ocean shipping, including those for support of military and other Federal programs and those essential to the civil economy; maintenance, repair, and arming of ships; recruiting, training, and assigning of officers and seamen; procurement, warehousing, and issuance of ships' stores, supplies, equipment, and spare parts; supervision of stevedoring and bunkering; management of terminals, shipyards, repair, and other facilities; and provision, maintenance, and restoration of port facilities.

SEC. 904. *Census Functions.* Within the area designated in section 901(4) hereof, the Secretary of Commerce shall:

(1) Provide for the collection and reporting of census information on the status of human and economic resources, including population, housing, agriculture, manufacture, mineral industries, business, transportation, foreign trade, construction, and governments, as required for emergency planning purposes.

(2) Plan, create, and maintain a capability for the conduct of post-attack surveys to provide information on the status of surviving populations and resources as required for the programs of the Office of Emergency Preparedness.

(3) Provide for and maintain the ability to make estimates of attack effects on industry, population, and other resources for use within the Department of Commerce.

SEC. 905. *Civil Defense Functions.* In consonance with national civil defense programs developed by the Department of Defense, the Secretary of Commerce shall:

(1) *Weather functions.* Prepare and issue currently, as well as in an emergency, forecasts and estimates of areas likely to be covered by radiological fallout in event of attack and make this information available to Federal, State, and local authorities for public dissemination.

(2) *Geodetic, hydrographic, and oceanographic data.* Provide geodetic, hydrographic, and oceanographic data and services to the Department of Defense and other governmental agencies, as appropriate.

Part 10—Department of Labor

SECTION 1001. *Résumé of Responsibilities.* The Secretary of Labor shall have primary responsibility for preparing national emergency

plans and developing preparedness programs covering civilian manpower mobilization, more effective utilization of limited manpower resources, including specialized personnel, wage and salary stabilization, worker incentives and protection, manpower resources and requirements, skill development and training, research, labor-management relations, and critical occupations.

SEC. 1002 *Functions.* The Secretary of Labor shall:

(1) *Civilian manpower mobilization.* Develop plans and issue guidance designed to utilize to the maximum extent civilian manpower resources, such plans and guidance to be developed with the active participation and assistance of the States and local political subdivisions thereof, and of other organizations and agencies concerned with the mobilization of the people of the United States. Such plans shall include, but not necessarily be limited to:

(a) *Manpower management.* Recruitment, selection and referral, training, employment stabilization (including appeals procedures), proper utilization, and determination of the skill categories critical to meeting the labor requirements of defense and essential civilian activities;

(b) *Priorities.* Procedures for translating survival and production urgencies into manpower priorities to be used as guides for allocating available workers; and

(c) *Improving mobilization base.* Programs for more effective utilization of limited manpower resources, and, in cooperation with other appropriate agencies, programs for recruitment, training, allocation, and utilization of persons possessing specialized competence or aptitude in acquiring such competence.

(2) *Wage and salary stabilization.* Develop plans and procedures for wage and salary stabilization and for the national and field organization necessary for the administration of such a program in an emergency, including investigation, compliance, and appeals procedures; statistical studies of wages, salaries, and prices for policy decisions and to assist operating stabilization agencies to carry out their functions.

(3) *Worker incentives and protection.* Develop plans and procedures for wage and salary compensation and death and disability compensation for authorized civil defense workers and, as appropriate, measures for unemployment payments, re-employment rights, and occupational safety, and other protection and incentives for the civilian labor force during an emergency.

(4) *Skill development and training.* Initiate current action programs to overcome or offset present or anticipated manpower deficiencies, including those identified as a result of resource and requirements studies.

(5) *Labor-management relations.* Develop, after consultation with the Department of Commerce, the Department of Transportation, the Department of Defense, the National Labor Relations Board, the Federal Mediation and Conciliation Service, the National Mediation Board, and other appropriate agencies and groups, including representatives of labor and management, plans and procedures, including organization plans for the maintenance of effective labor-management relations during a national emergency.

Part 11—Department of Health, Education, and Welfare

SECTION 1101 *Résumé of Responsibilities.* In addition to the medical stockpile functions identified in Executive Order No. 10958, the Secretary of Health, Education, and Welfare shall prepare national emergency plans and develop preparedness programs covering health services, civilian health manpower, health resources, welfare services, social security benefits, credit union operations, and educational programs as defined below.

SEC. 1102 *Definitions.* As used in this part:

(1) "Emergency health services" means medical and dental care for the civilian population in all of their specialties and adjunct therapeutic fields, and the planning, provision, and operation of first aid stations, hospitals, and clinics; preventive health services, including detection, identification and control of communicable diseases, their vectors, and other public health hazards, inspection and control of purity and safety of food, drugs, and biologicals; vital statistics services; rehabilitation and related services for disabled survivors; preventive and curative care related to human exposure to radiological, chemical, and biological warfare agents; sanitary aspects of disposal of the dead; food and milk sanitation; community solid waste disposal; emergency public water supply; and the determination of the health significance of water pollution and the provision of other services pertaining to health aspects of water use and water-borne wastes as set forth in an agreement between the Secretary of Health, Education, and Welfare and the Secretary of the Interior, approved by the President, pursuant to Reorganization Plan No. 2 of 1966, which plan placed upon the Secretary of the Interior responsibilities for the prevention and control of water pollution. It shall be understood that health services for the purposes of this order, however, do not encompass the following areas for which the Department of Agriculture has responsibility: plant and animal diseases and pest prevention, control, and eradication, wholesomeness of meat and meat products, and poultry and poultry products in establishments under continuous inspection service by the Department of Agriculture, veterinary biologicals, agricultural commodities and products owned by the Commodity Credit Corporation or the Secretary of Agriculture, livestock, agricultural commodities stored or harvestable on farms and ranches, agricultural lands and water, and registration of pesticides.

(2) "Health manpower" means physicians (including osteopaths); dentists; sanitary engineers; registered professional nurses; and such other occupations as may be included in the List of Health Manpower Occupations issued for the purposes of this part by the Director of the Office of Emergency Preparedness after agreement by the Secretary of Labor and the Secretary of Health, Education, and Welfare.

(3) "Health resources" means manpower, material, and facilities required to prevent the impairment of, improve, and restore the physical and mental health conditions of the civilian population.

(4) "Emergency welfare services" means feeding; clothing; lodging in private and congregate facilities; registration; locating and reuniting families; care of unaccompanied children, the aged, the handicapped, and other groups needing specialized care or services; necessary financial or other assistance; counseling and referral services to families and individuals; aid to welfare institutions under national emergency or post-attack conditions; and all other feasible welfare aid and services to people in need during a civil defense emergency. Such measures include organization, direction, and provision of services to be instituted before attack, in the event of strategic or tactical evacuation, and after attack in the event of evacuation or of refuge in shelters.

(5) "Social security benefits" means the determination of entitlement and the payment of monthly insurance benefits to those eligible, such as workers who have retired because of age or disability and to their dependent wives and children, and to the eligible survivors of deceased workers. It also includes determinations of eligibility and payments made on behalf of eligible individuals to hospitals, home health agencies, extended care facilities, physicians, and other providers of medical services.

(6) "Credit union operations" means the functions of any credit union, chartered either by a State or the Federal Government, in stimulating systematic savings by members, the investment and protection of those savings, providing loans for credit union members

at reasonable rates, and encouraging sound credit and thrift practices among credit union members.

(7) "Education" or "training" means the organized process of learning by study and instruction primarily through public and private systems.

SEC. 1103 *Health Functions.* With respect to emergency health services, as defined above, and in consonance with national civil defense plans, programs, and operation of the Department of Defense under Executive Order No. 10952, the Secretary of Health, Education, and Welfare shall:

(1) *Professional training.* Develop and direct a nationwide program to train health manpower both in professional and technical occupational content and in civil defense knowledge and skills. Develop and distribute health education material for inclusion in the curricula of schools, colleges, professional schools, government schools, and other educational facilities throughout the United States. Develop and distribute civil defense information relative to health services to States, voluntary agencies, and professional groups.

(2) *Emergency public water supply.* Prepare plans to assure the provision of usable water supplies for human consumption and other essential community uses in an emergency. This shall include inventorying existing community water supplies, planning for other alternative sources of water for emergency uses, setting standards relating to human consumption, and planning community distribution. In carrying on these activities, the Department shall have primary responsibility but will make maximum use of the resources and competence of State and local authorities, the Department of the Interior, and other Federal agencies.

(3) *Radiation.* Develop and coordinate programs of radiation measurement and assessment as may be necessary to carry out the responsibilities involved in the provision of emergency health services.

(4) *Biological and chemical warfare.* Develop and coordinate programs for the prevention, detection, and identification of human exposure to chemical and biological warfare agents as may be necessary to carry out the responsibilities involved in the provision of emergency health services, including the provision of guidance and consultation to Federal, State, and local authorities on measures for minimizing the effects of biological or chemical warfare.

(5) *Food, drugs, and biologicals.* Plan and direct national programs for the maintenance of purity and safety in the manufacture and distribution of food, drugs, and biologicals in an emergency.

(6) *Disabled survivors.* Prepare national plans for emergency operations of vocational rehabilitation and related agencies, and for measures and resources necessary to rehabilitate and make available for employment those disabled persons among the surviving population.

SEC. 1104 *Welfare Functions.* With respect to emergency welfare services as defined above, and in consonance with national civil defense plans, programs, and operations of the Department of Defense under Executive Order No. 10952, the Secretary of Health, Education, and Welfare shall:

(1) *Federal support.* Cooperate in the development of Federal support procedures, through joint planning with other departments and agencies, including but not limited to the Post Office Department, the Department of Labor, and the Selective Service System, the Department of Housing and Urban Development, and resource agencies, including the Department of Agriculture, the Department of the Interior, and the Department of Commerce, for logistic support of State and community welfare services in an emergency.

(2) *Emergency welfare training.* Develop and direct a nationwide program to train emergency welfare manpower for the execution of the functions set forth in this part, develop welfare educational

materials, including self-help program materials for use with welfare organizations and professional schools, and develop and distribute civil defense information relative to emergency welfare services to States, voluntary agencies, and professional groups.

(3) *Financial aid.* Develop plans and procedures for financial assistance to individuals injured or in want as a result of enemy attack and for welfare institutions in need of such assistance in an emergency.

(4) *Non-combatant evacuees to the Continental United States.* Develop plans and procedures for assistance, at ports of entry to U.S. personnel evacuated from overseas areas, their onward movement to final destination, and follow-up assistance after arrival at final destination.

SEC. 1105 *Social Security Functions.* With respect to social security, the Secretary of Health, Education, and Welfare shall:

(1) *Social security benefits.* Develop plans for the continuation or restoration of benefit payments to those on the insurance rolls as soon as possible after a direct attack upon the United States, and prepare plans for the acceptance and disposition of current claims for social security benefits.

(2) *Health insurance.* Develop plans for the payment of health insurance claims for reimbursement for items or services provided by hospitals, physicians, and other providers of medical services submitted by or on behalf of individuals who are eligible under the Medicare program.

SEC. 1106 *Credit Union Functions.* With respect to credit union functions, the Secretary of Health, Education, and Welfare shall:

(1) *Credit union operations.* Provide instructions to all State and Federally chartered credit unions for the development of emergency plans to be put into effect as soon as possible after an attack upon the United States in order to guarantee continuity of credit union operations.

(2) *Economic stabilization.* Provide guidance to credit unions that will contribute to stabilization of the Nation's economy by helping to establish and maintain a sound economic base for combating inflation, maintaining confidence in public and private financial institutions, and promoting thrift.

SEC. 1107 *Education Functions.* With respect to education, the Secretary of Health, Education, and Welfare shall:

(1) *Program guidance.* Develop plans and issue guidance for the continued function of educational systems under all conditions of national emergency. Although extraordinary circumstances may require the temporary suspension of education, plans should provide for its earliest possible resumption.

(2) *Educational adjustment.* Plan to assist civilian educational institutions, both public and private, to adjust to demands laid upon them by a large expansion of government activities during any type of emergency. This includes advice and assistance to schools, colleges, universities, and other educational institutions whose facilities may be temporarily needed for Federal, State, or local government programs in an emergency or whose faculties and student bodies may be affected by the demands of a sudden or long-standing emergency.

(3) *Post-attack recovery.* Develop plans for the rapid restoration and resumption of education at all levels after an attack. This includes assistance to educators and educational institutions to locate and use surviving facilities, equipment, supplies, books, and educational personnel. Particular emphasis shall be given to the role of educational institutions and educational leadership in reviving education and training in skills needed for post-attack recovery.

(4) *Civil defense education.* In consonance with national civil defense plans, programs, and operations of the Department of Defense, develop and issue instructional materials to assist schools, colleges,

and other educational institutions to incorporate emergency protective measures and civil defense concepts into their programs. This includes assistance to various levels of education to develop an understanding of the role of the individual, family, and community for civil defense in the nuclear age.

Part 12—Department of Housing and Urban Development

SECTION 1201 *Résumé of Responsibilities.* The Secretary of Housing and Urban Development shall prepare national emergency plans and develop preparedness programs covering all aspects of housing, community facilities related to housing, and urban development (except that housing assets under the jurisdiction and control of the Department of Defense, other than those leased for terms not in excess of one year, shall be and remain the responsibility of the Department of Defense).

SEC. 1202 *Definition.* As used in this part:

(1) "Emergency housing" means any and all types of accommodations used as dwellings in an emergency.

(2) "Community facilities related to housing" means installations necessary to furnish water, sewer, electric, and gas services between the housing unit or project and the nearest practical source or servicing point.

(3) "Urban development" means the building or restoration of urban community, suburban, and metropolitan areas (except transportation facilities).

SEC. 1203 *Housing and Community Facilities Functions.* The Secretary of Housing and Urban Development shall:

(1) *New housing.* Develop plans for the emergency construction and management of new housing and the community facilities related thereto to the extent that it is determined that it may be necessary to provide for such construction and management with public funds and through direct Federal action, and to the extent that such construction of new housing may have to be provided through Federal financial or credit assistance.

(2) *Community facilities.* Develop plans to restore community facilities related to housing affected by an emergency through the repair of damage, the construction of new facilities, and the use of alternate or back-up facilities.

SEC. 1204 *Urban Development Functions.* The Secretary of Housing and Urban Development shall:

(1) *Regional cooperation.* Encourage regional emergency planning and cooperation among State and local governments with respect to problems of housing and metropolitan development.

(2) *Vulnerability and redevelopment.* In cooperation with the Office of Emergency Preparedness, develop criteria and provide guidance for the design and location of housing and community facilities related to housing to minimize the risk of loss under various emergency situations. Develop criteria for determining which areas should be redeveloped in the event of loss or severe damage resulting from emergencies.

SEC. 1205 *Civil Defense Functions.* In consonance with national civil defense plans, programs, and operations of the Department of Defense under Executive Order No. 10952, the Secretary of Housing and Urban Development shall:

(1) *Transitional activities.* Develop plans for the orderly transfer of people from fallout shelters and from billets to temporary or permanent housing, including advice and guidance for State and local government agencies in the administration thereof. These plans shall be coordinated with national plans and guidance for emergency welfare services of the Department of Health, Education, and Welfare.

(2) *Temporary housing.* Develop plans for the emergency repair and restoration for use of damaged housing, for the construction and

management of emergency housing units and the community facilities related thereto, for the emergency use of tents and trailers, and for the emergency conversion for dwelling use of non-residential structures, such activities to be financed with public funds through direct Federal action or through financial or credit assistance.

(3) *Shelter.* In conformity with national shelter policy, assist in the development of plans to encourage the construction of shelters for both old and new housing, and develop administrative procedures to encourage the use of low-cost design and construction techniques to maximize protection in connection with national programs.

Part 13—Department of Transportation

SECTION 1301 *Résumé of Responsibilities.* The Secretary of Transportation, in carrying out his responsibilities to exercise leadership in transportation matters affecting the national defense and those involving national or regional transportation emergencies, shall prepare emergency plans and develop preparedness programs covering:

(1) Preparation and promulgation of over-all national policies, plans, and procedures related to providing civil transportation of all forms—air, ground, water, and pipelines, including public storage and warehousing (except storage of petroleum and gas and agricultural food resources including cold storage): *Provided* that plans for the movement of petroleum and natural gas through pipelines shall be the responsibility of the Secretary of the Interior except to the extent that such plans are a part of functions vested in the Secretary of Transportation by law;

(2) Movement of passengers and materials of all types by all forms of civil transportation;

(3) Determination of the proper apportionment and allocation for control of the total civil transportation capacity, or any portion thereof, to meet over-all essential civil and military needs;

(4) Determination and identification of the transportation resources available and required to meet all degrees of national emergencies and regional transportation emergencies;

(5) Assistance to the various States, the local political subdivisions thereof, and non-governmental organizations and systems engaged in transportation activities in the preparation of emergency plans;

(6) Rehabilitation and recovery of the Nation's transportation systems; and

(7) Provisions for port security and safety, for aids to maritime navigation, and for search and rescue and law enforcement over, upon, and under the navigable waters of the United States and the high seas.

SEC. 1302 *Transportation Planning and Coordination Functions.*

In carrying out the provisions of Section 1301, the Secretary of Transportation, with assistance and support of other Federal, State and local governmental agencies, and the transport industries, as appropriate, shall:

(1) Obtain, assemble, analyze, and evaluate data on current and projected emergency requirements of all claimants for all forms of civil transportation to meet the needs of the military and of the civil economy, and on current and projected civil transportation resources—of all forms—available to the United States to move passengers or materials in an emergency.

(2) Develop plans and procedures to provide—under emergency conditions—for the collection and analysis of passenger and cargo movement demands as they relate to the capabilities of the various forms of transport, including the periodic assessment of over-all transport resources available to meet emergency requirements.

(3) Conduct a continuing analysis of transportation requirements and capabilities in relation to economic projections for the purpose of initiating actions and/or recommending incentive and/or regulatory

programs designed to stimulate government and industry improvement of the structure of the transportation system for use in an emergency.

(4) Develop systems for the control of the movement of passengers and cargo by all forms of transportation, except for those resources owned by, controlled by, or under the jurisdiction of the Department of Defense, including allocation of resources and assignment of priorities, and develop policies, standards, and procedures for emergency enforcement of these controls.

SEC. 1303 *Departmental Emergency Transportation Preparedness.* Except for those resources owned by, controlled by, or under the jurisdiction of the Department of Defense, the Secretary of Transportation shall prepare emergency operational plans and programs for, and develop a capability to carry out, the transportation operating responsibilities assigned to the Department, including but not limited to:

(1) Allocating air carrier civil air transportation capacity and equipment to meet civil and military requirements.

(2) Emergency management, including construction, reconstruction, and maintenance of the Nation's civil airports, civil aviation operating facilities, civil aviation services, and civil aircraft (other than air carrier aircraft), except manufacturing facilities.

(3) Emergency management of all Federal, State, city, local, and other highways, roads, streets, bridges, tunnels, and appurtenant structures, including:

(a) The adaptation, development, construction, reconstruction, and maintenance of the Nation's highway and street systems to meet emergency requirements;

(b) The protection of the traveling public by assisting State and local authorities in informing them of the dangers of travel through hazardous areas; and

(c) The regulation of highway traffic in an emergency through a national program in cooperation with all Federal, State, and local governmental units or other agencies concerned.

(4) Emergency plans for urban mass transportation, including:

(a) Providing guidance to urban communities in their emergency mass transportation planning efforts, either directly or through State, regional, or metropolitan agencies;

(b) Coordinating all such emergency planning with the Department of Housing and Urban Development to assure compatibility with emergency plans for all other aspects of urban development;

(c) Maintaining an inventory of urban mass transportation systems.

(5) Maritime safety and law enforcement over, upon, and under the high seas and waters, subject to the jurisdiction of the United States, in the following specific programs:

(a) Safeguarding vessels, harbors, ports, and waterfront facilities from destruction, loss or injury, accidents, or other causes of a similar nature.

(b) Safe passage over, upon, and under the high seas and United States waters through effective and reliable systems of aids to navigation and ocean stations.

(c) Waterborne access to ice-bound locations in furtherance of national economic, scientific, defense, and consumer needs.

(d) Protection of lives, property, natural resources, and national interests through enforcement of Federal law and timely assistance.

(e) Safety of life and property through regulation of commercial vessels, their officers and crew, and administration of maritime safety law.

(f) Knowledge of the sea, its boundaries, and its resources through collection and analysis of data in support of the national interest.

(g) Operational readiness for essential wartime functions.

(6) Planning for the emergency management and operation of the Alaska Railroad, and for the continuity of railroad and petroleum pipeline safety programs.

(7) Planning for the emergency operation and maintenance of the United States-controlled sections of the Saint Lawrence Seaway.

Part 14—Atomic Energy Commission

SECTION 1401 Functions. The Atomic Energy Commission shall prepare national emergency plans and develop preparedness programs for the continuing conduct of atomic energy activities of the Federal Government. These plans and programs shall be designed to develop a state of readiness in these areas with respect to all conditions of national emergency, including attack upon the United States and, consistent with applicable provisions of the Atomic Energy Act of 1954, as amended, shall be closely coordinated with the Department of Defense and the Office of Emergency Preparedness. The Atomic Energy Commission shall:

(1) *Production.* Continue or resume in an emergency essential (a) manufacture, development, and control of nuclear weapons and equipment, except to the extent that the control over such weapons and equipment shall have been transferred to the Department of Defense; (b) development and technology related to reactors; (c) process development and production of feed material, special nuclear materials, and other special products; (d) related raw materials procurement, processing, and development; and (e) repair, maintenance, and construction related to the above.

(2) *Regulation.* Continue or resume in an emergency (a) controlling the possession, use, transfer, import, and export of atomic materials and facilities; and (b) ordering the operation or suspension of licensed facilities, and recapturing from licensees, where necessary, special nuclear materials whether related to military support or civilian activities.

(3) *Public health and safety.* Shut down, where required, in anticipation of an imminent enemy attack on the United States, and maintain under surveillance, all Commission-owned facilities which could otherwise constitute a significant hazard to public health and safety, and insure the development of appropriate emergency plans for nuclear reactors and other nuclear activities licensed by the Commission whether privately-owned or Government-owned.

(4) *Scientific, technical, and public atomic energy information.* Organize, reproduce, and disseminate appropriate public atomic energy information and scientific and technical reports and data relating to nuclear science research, development, engineering, applications, and effects to interested Government agencies, the scientific and technical communities, and approved, friendly, and cooperating foreign nations.

(5) *International atomic energy affairs.* Maintain, in consultation with the Department of State, essential liaison with foreign nations with respect to activities of mutual interest involving atomic energy.

(6) *Health services.* Assist the Department of Health, Education, and Welfare, consistent with the above requirements, in integrating into civilian health programs in an emergency the Commission's remaining health manpower and facilities not required for the performance of the Commission's essential emergency functions.

(7) *Priorities and allocations.* Plan for the administration of any priorities and allocations authority delegated to the Atomic Energy Commission. Authorize procurement and production schedules and make allotments of controlled materials pursuant to program determinations of the Office of Emergency Preparedness.

Part 15—Civil Aeronautics Board

SECTION 1501 Definitions. As used in this part:

(1) "War Air Service Program" (hereinafter referred to as WASP) means the program designed to provide for the maintenance

of essential civil air routes and services, and to provide for the distribution and redistribution of air carrier aircraft among civil air transport carriers after withdrawal of aircraft allocated to the Civil Reserve Air Fleet.

(2) "Civil Reserve Air Fleet" (hereinafter referred to as CRAF) means those air carrier aircraft allocated by the Secretary of Transportation to the Department of Defense to meet essential military needs in the event of an emergency.

Sec. 1502 Functions. The Civil Aeronautics Board, under the coordinating authority of the Secretary of Transportation, shall:

(1) *Distribution of aircraft.* Develop plans and be prepared to carry out such distribution and redistribution of all air carrier civil aircraft allocated by the Secretary of Transportation among the civil air transport carriers as may be necessary to assure the maintenance of essential civil routes and services under WASP operations after the CRAF requirements have been met.

(2) *Economic regulations.* Develop plans covering route authorizations and operations, tariffs, rates, and fares charged the public, mail rates, government compensation and subsidy, and accounting and contracting procedures essential to WASP operations.

(3) *Operational controls and priorities.* Develop plans and procedures for the administration of operational controls and priorities of passenger and cargo movements in connection with the utilization of air carrier aircraft for WASP purposes in an emergency.

(4) *Investigation.* Maintain the capability to investigate violations of emergency economic regulations affecting air carrier operations.

(5) *Contracting.* Prepare to perform as a contracting agency, if such an agency is necessary, in connection with distribution and redistribution of aircraft for WASP.

Part 16—Export-Import Bank of the United States

SECTION 1601 Functions. (a) Under guidance of the Secretary of the Treasury, the Export-Import Bank shall develop plans for the utilization of the resources of the Bank, or other resources made available to the Bank, in expansion of productive capacity abroad for essential materials, foreign barter arrangements, acquisition of emergency imports, and in support of the domestic economy, or any other plans designed to strengthen the relative position of the Nation and its allies.

(b) In carrying out the guidance functions described above, the Secretary of the Treasury shall consult with the Secretary of State and the Secretary of Commerce as appropriate.

Part 17—Federal Bank Supervisory Agencies

SECTION 1701 Financial Plans and Programs. The Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Home Loan Bank Board, the Farm Credit Administration, and the Federal Deposit Insurance Corporation shall participate with the Office of Emergency Preparedness, the Department of the Treasury, and other agencies in the formulation of emergency financial and stabilization policies. The heads of such agencies shall, as appropriate, develop emergency plans, programs, and regulations, in consonance with national emergency financial and stabilization plans and policies, to cope with potential economic effects of mobilization or an attack, including, but not limited to, the following:

(1) *Money and credit.* Provision and regulation of money and credit in accordance with the needs of the economy, including the acquisition, decentralization, and distribution of emergency supplies of currency; the collection of cash items and non-cash items; and the conduct of fiscal agency and foreign operations.

(2) *Financial institutions.* Provision for the continued or resumed operation of banking, savings and loan, and farm credit institutions, including measures for the re-creation of evidence of assets or liabilities destroyed or inaccessible.

(3) *Liquidity.* Provision of liquidity necessary to the continued or resumed operation of banking, savings and loan, credit unions, and farm credit institutions, including those damaged or destroyed by enemy action.

(4) *Cash withdrawals and credit transfers.* Regulation of the withdrawal of currency and the transfer of credits including deposit and share account balances.

(5) *Insurance.* Provision for the assumption and discharge of liability pertaining to insured deposits and insured savings accounts or withdrawable shares in banking and savings and loan institutions destroyed or made insolvent.

SEC. 1702 *Sharing of war losses.* Heads of agencies shall, as appropriate, participate with the Office of Emergency Preparedness and the Department of the Treasury in the development of policies, plans, and procedures for implementation of national policy on sharing war losses.

Part 18—Federal Communications Commission

SECTION 1801 *Definitions.* As used in this part:

(1) "Common carrier" means any person subject to Commission regulation engaged in providing, for use by the public, for hire, interstate or foreign communications facilities or services by wire or radio; but a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier.

(2) "Broadcast facilities" means those stations licensed by the Commission for the dissemination of radio communications intended to be received by the public directly or by the intermediary of relay stations.

(3) "Safety and special radio services" includes those non-broadcast and non-common carrier services which are licensed by the Commission under the generic designation "safety and special radio services" pursuant to the Commission's Rules and Regulations.

SEC. 1802 *Functions.* The Federal Communications Commission shall develop policies, plans, and procedures, in consonance with national telecommunications plans and policies developed pursuant to Executive Order No. 10705, Executive Order No. 10995, Executive Order No. 11051, the Presidential Memorandum of August 21, 1963, "Establishment of the National Communications System", and other appropriate authority, covering:

(1) *Common carrier service.* (a) Extension, discontinuance, or reduction of common carrier facilities or services, and issuance of appropriate authorizations for such facilities, services, and personnel in an emergency; and control of all rates, charges, practices, classifications, and regulations for service to Government and non-Government users during an emergency, in consonance with overall national economic stabilization policies.

(b) Development and administration of priority systems for public correspondence and for the use and resumption of leased inter-city private line service in an emergency.

(c) Use of common carrier facilities and services to overseas points to meet vital needs in an emergency.

(2) *Broadcasting service.* Construction, activation, or deactivation of broadcasting facilities and services, the continuation or suspension of broadcasting services and facilities, and issuance of appropriate authorizations for such facilities, services, and personnel in an emergency.

(3) *Safety and special radio services.* Authorization, operation, and use of safety and special radio services, facilities, and personnel in the national interest in an emergency.

(4) *Radio frequency assignment.* Assignment of radio frequencies to, and their use by, Commission licensees in an emergency.

(5) *Electromagnetic radiation.* Closing of any radio station or any device capable of emitting electromagnetic radiation or suspension or amending any rules or regulations applicable thereto, in any emergency, except for those belonging to, or operated by, any department or agency of the United States Government.

(6) *Investigation and enforcement.* Investigation of violations of pertinent law and regulations in an emergency, and development of procedures designated to initiate, recommend, or otherwise bring about appropriate enforcement actions required in the interest of national security.

Part 19—Federal Power Commission

SECTION 1901 *Functions.* The Federal Power Commission shall assist the Department of the Interior, in conformity with Part 7, in the preparation of national emergency plans and the development of preparedness programs for electric power and natural gas in the areas as set forth in the Memorandum of Agreement dated August 9, 1962, between the Secretary of the Interior and the Chairman of the Federal Power Commission.

Part 20—General Services Administration

SECTION 2001 *Résumé of Responsibilities.* The Administrator of General Services shall prepare national emergency plans and develop preparedness programs designed to permit modification or expansion of the activities of the General Services Administration under the Federal Property and Administrative Services Act of 1949, as amended and other statutes prescribing the duties and responsibilities of the Administrator. These plans and programs shall include, but not be limited to: (1) operation, maintenance, and protection of Federal buildings and their sites; construction, alteration, and repair of public buildings; and acquisition, utilization, and disposal of real and personal properties; (2) public utilities service management for Federal agencies; (3) telecommunications to meet the essential requirements of civilian activities of executive departments and agencies; (4) transportation management to meet the traffic service requirements of civilian activities of Federal agencies; (5) records management; (6) Emergency Federal Register; (7) Government-wide supply support; (8) service to survival items stockpiles; (9) national industrial reserve; (10) guidance and consultation to Government agencies regarding facilities protection measures; (11) administration of assigned functions under the Defense Production Act; and (12) administration and operation of the stockpile of strategic and critical materials in accordance with policies and guidance furnished by the Office of Emergency Preparedness.

SEC. 2002 *Functions.* The Administrator of General Services shall:

(1) *Public buildings.* Develop emergency plans and procedures for the operation, maintenance, and protection of both existing and new Federally-owned and Federally-occupied buildings, and construction, alteration, and repair of public buildings. Develop emergency operating procedures for the control, acquisition, assignment, and priority of occupancy of real property by the Federal Government and by State and local governments to the extent they may be performing functions as agents of the Federal Government.

(2) *Public utility service management.* Develop emergency operational plans and procedures for the claimancy, procurement, and use of public utility services for emergency activities of executive agencies of the Government.

(3) *Communications.* Plan for and provide, operate, and maintain appropriate telecommunications facilities designed to meet the essential requirements of Federal civilian departments and agencies during an emergency within the framework of the National Communications System. Plans and programs of the Administrator shall be in consonance with national telecommunications policies, plans, and programs developed pursuant to Executive Order No. 10705, Executive Order No. 10995, Executive Order No. 11051, and the Presidential

Memorandum of August 21, 1963, "Establishment of the National Communications System," or other appropriate authority.

(4) *Transportation.* Develop plans and procedures for providing: (a) general transportation and traffic management services to civilian activities of Federal agencies in connection with movement of property and supplies, including the claimancy, contracting, routing, and accounting of Government shipments by commercial transportation in time of emergency; and (b) motor vehicle service to meet the administrative needs of Federal agencies, including dispatch and scheduled Government motor service at and between headquarters, field offices, relocation sites, and other installations of the Federal and State governments.

(5) *Records.* Provide instructions and advice on appraisal, selection, preservation, arrangement, reference, reproduction, storage, and salvage of essential records needed for the operation of the Federal Government after attack, on an emergency basis, including a decentralized system.

(6) *Federal Register.* Develop emergency procedures for providing and making available, on a decentralized basis, a Federal Register of Presidential Proclamations and Executive Orders, Federal administrative regulations, Federal emergency notices and actions, and Acts of Congress during a national emergency.

(7) *Government-wide procurement and supply.* Prepare plans and procedures for the coordination and/or operation of Government-wide supply programs to meet the requirements of Federal agencies under emergency conditions, including the development of policies, methods, and procedures for emergency procurement and for emergency requisitioning of private property when authorized by law and competent authority; identification of essential civil agency supply items under the Federal catalog system; development of emergency Federal specifications and standards; determination of sources of supply; procurement of personal property and non-personal services; furnishing appropriate inspection and contract administration services; and establishment, coordination, and/or operation of emergency storage and distribution facilities.

(8) *Survival item stockpiles.* Assist the Department of Health, Education, and Welfare, insofar as civil defense medical stockpile items under its jurisdiction are concerned, and the Department of Defense, insofar as survival items under its jurisdiction are concerned, in formulating plans and programs for service activity support relating to stockpiling of such supplies and equipment. The Administrator shall arrange for the procurement, storage, maintenance, inspection, survey, withdrawal, and disposal of supplies and equipment in accordance with the provisions of interagency agreements with the departments concerned.

(9) *National industrial reserve and machine tool program.* Develop plans for the custody of the industrial plants and production equipment in the national industrial reserve and assist the Department of Defense, in collaboration with the Department of Commerce, in the development of plans and procedures for the disposition, emergency reactivation, and utilization of the plants and equipment of this reserve in the custody of the Administrator.

(10) *Excess and surplus real and personal property.* Develop plans and emergency operating procedures for the utilization of excess and surplus real and personal property by Federal Government agencies with emergency assignments or by State and local governmental units as directed, including review of the property holdings of Federal agencies which do not possess emergency functions to determine the availability of property for emergency use, and including the disposal of real and personal property and the rehabilitation of personal property.

(11) *Facilities protection and building and shelter manager service.* In accordance with the guidance from the Department of Defense,

promote, with respect to Federal buildings and installations, a Government-wide program (a) to stimulate protection, preparedness, and control in emergencies in order to minimize the effects of overt or covert attack, including dispersal of facilities; and (b) to establish shelter manager organizations, including safety and service personnel, shelter manager service, first aid, police, and evacuation service.

SEC. 2003 *Defense Production.* The Administrator of General Services shall assist the Office of Emergency Preparedness in the formulation of plans and programs relating to the certification of procurement programs, subsidy payments, and plant improvement programs provided for by the Defense Production Act of 1950, as amended.

SEC. 2004 *Strategic and Critical Materials Stockpiles.* The Administrator of General Services shall assist the Office of Emergency Preparedness in formulating plans, programs, and reports relating to the stockpiling of strategic and critical materials. Within these plans and programs, the Administrator shall provide for the procurement (for this purpose, procurement includes upgrading, rotation, and beneficiation), storage, security, maintenance, inspection, withdrawal, and disposal of materials, supplies, and equipment.

Part 21—Interstate Commerce Commission

SECTION 2101 *Résumé of Responsibilities.* The Chairman of the Interstate Commerce Commission, under the coordinating authority of the Secretary of Transportation, shall prepare national emergency plans and develop preparedness programs covering railroad utilization, reduction of vulnerability, maintenance, restoration, and operation in an emergency (other than for the Alaska Railroad—see Section 1303(6)); motor carrier utilization, reduction of vulnerability, and operation in an emergency; inland waterway utilization of equipment and shipping, reduction of vulnerability, and operation in an emergency; and also provide guidance and consultation to domestic surface transportation and storage industries, as defined below, regarding emergency preparedness measures, and to States regarding development of their transportation plans in assigned areas.

SEC. 2102 *Definitions.* As used in this part:

(1) "Domestic surface transportation and storage" means rail, motor, and inland water transportation facilities and services and public storage;

(2) "Public storage" includes warehouses and other places which are used for the storage of property belonging to persons other than the persons having the ownership or control of such premises;

(3) "Inland water transportation" includes shipping on all inland waterways and Great Lakes shipping engaged solely in the transportation of passengers or cargo between United States ports on the Great Lakes;

(4) Specifically excluded, for the purposes of this part, are pipelines, petroleum and gas storage, agricultural food resources storage, including the cold storage of food resources, the St. Lawrence Seaway, ocean ports and Great Lakes ports and port facilities, highways, streets, roads, bridges, and related appurtenances, maintenance of inland waterways, and any transportation owned by or pre-allocated to the military.

SEC. 2103 *Transportation Functions.* The Interstate Commerce Commission shall:

(1) *Operational control.* Develop plans with appropriate private transportation and storage organizations and associations for the coordination and direction of the use of domestic surface transportation and storage facilities for movement of passenger and freight traffic.

(2) *Emergency operations.* Develop and maintain necessary orders and regulations for the operation of domestic surface transport and storage industries in an emergency.

Part 22—National Aeronautics and Space Administration

SECTION 2201 *Functions.* The Administrator of the National Aeronautics and Space Administration shall:

(1) *Research and development.* Adapt and utilize the scientific and technological capability of the National Aeronautics and Space Administration, consistent with over-all requirements, to meet priority needs of the programs of the Federal Government in an emergency. This will include the direction and conduct of essential research and development activities relating to (a) aircraft, spacecraft, and launch vehicles, (b) associated instrumentation, guidance, control and payload, propulsion, and communications systems, (c) scientific phenomena affecting both manned and unmanned space flights, (d) the life sciences (biology, medicine, and psychology) as they apply to aeronautics and space, and (e) atmospheric and geophysical sciences.

(2) *Military support.* Provide direct assistance as requested by the Department of Defense and other agencies in support of the military effort. This may include (a) undertaking urgent projects to develop superior aircraft, spacecraft, launch vehicles, and weapons systems, (b) developing methods to counter novel or revolutionary enemy weapons systems, (c) providing technical advice and assistance on matters involving air and space activities, and (d) furnishing personnel and facilities to assist in emergency repairs of equipment deficiencies and for other essential purposes.

Part 23—National Science Foundation

SECTION 2301 *Functions.* The Director of the National Science Foundation shall:

(1) *Manpower functions.* Assist the Department of Labor in sustaining readiness for the mobilization of civilian manpower by: (a) maintaining the Foundation's register of scientific and technical personnel in such form and at such locations as will assure maximum usefulness in an emergency; (b) being prepared for rapid expansion of the Foundation's current operation as a central clearing house for information covering all scientific and technical personnel in the United States and its possessions; and (c) developing, in consultation with the Department of Labor, the Selective Service System, the Department of Defense, and the Office of Science and Technology, plans and procedures to assure the most effective distribution and utilization of the Nation's scientific and engineering manpower in an emergency.

(2) *Special functions.* (a) Provide leadership in developing, with the assistance of Federal and State agencies and appropriate non-governmental organizations, the ability to mobilize scientists, in consonance with over-all civilian manpower mobilization programs, to perform or assist in performance of special tasks, including the identification of and defense against unconventional warfare; (b) advance the national radiological defense capability by including, in consultation with appropriate agencies, pertinent scientific information and radiological defense techniques in the Foundation's scientific institute program for science, mathematics, and engineering teachers; (c) assemble data on the location and character of major scientific research facilities, including non-governmental as well as government facilities, and their normal inventories of types of equipment and instruments which would be useful in identification and analysis of hazards to human life in the aftermath of enemy attack; and (d) prepare to carry on necessary programs for basic research and for training of scientific manpower.

Part 24—Railroad Retirement Board

SECTION 2401 *Functions.* The Railroad Retirement Board shall:

(1) *Manpower functions.* Within the framework of the over-all manpower plans and programs of the Department of Labor, assist in the mobilization of civilian manpower in an emergency by developing plans for the recruitment and referral of that segment of the Nation's

manpower resources subject to the Railroad Retirement and Railroad Unemployment Insurance Acts.

(2) *Benefit payments.* Develop plans for administering, under emergency conditions, the essential aspects of the Railroad Retirement Act and Railroad Unemployment Insurance Act consistent with overall Federal plans for the continuation of benefit payments after an enemy attack.

Part 25—Securities and Exchange Commission

SECTION 2501 *Functions.* The Securities and Exchange Commission shall collaborate with the Secretary of the Treasury in the development of emergency financial control plans, programs, procedures, and regulations for:

(1) *Stock trading.* Temporary closure of security exchanges, suspension of redemption rights, and freezing of stock and bond prices, if required in the interest of maintaining economic controls.

(2) *Modified trading.* Development of plans designed to reestablish and maintain a stable and orderly market for securities when the situation permits under emergency conditions.

(3) *Protection of securities.* Provision of a national records system which will make it possible to establish current ownership of securities in the event major trading centers and depositories are destroyed.

(4) *Flow of capital.* The control of the formation and flow of private capital as it relates to new securities offerings or expansion of prior offerings for the purpose of establishing or reestablishing industries in relation to the Nation's needs in or following a national emergency.

(5) *Flight of capital.* The prevention of the flight of capital outside this country, in coordination with the Secretary of Commerce, and the impounding of securities in the hands of enemy aliens.

Part 26—Small Business Administration

SECTION 2601 *Functions.* The Administrator of the Small Business Administration shall:

(1) *Prime contract authority.* Develop plans to administer a program for the acquisition of prime contracts by the Administration and, in turn, for negotiating or otherwise letting of subcontracts to capable small business concerns in an emergency.

(2) *Resource information.* Provide data on facilities, inventories, and potential production capacity of small business concerns to all interested agencies.

(3) *Procurement.* Develop plans to determine jointly with Federal procurement agencies, as appropriate, which defense contracts are to go to small business concerns and to certify to the productive and financial ability of small concerns to perform specific contracts, as required.

(4) *Loans for plant modernization.* Develop plans for providing emergency assistance to essential individual industrial establishments through direct loans or participation loans for the financing of production facilities and equipment.

(5) *Resource pools.* Develop plans for encouraging and approving small business defense production and research and development pools.

(6) *Financial assistance.* Develop plans to make loans, directly or in participation with private lending institutions, to small business concerns and to groups or pools of such concerns, to small business investment companies, and to State and local development companies to provide them with funds for lending to small business concerns, for defense and essential civilian purposes.

Part 27—Tennessee Valley Authority

SECTION 2701 *Functions.* The Board of Directors of the Tennessee Valley Authority shall:

(1) *Electric power.* Assist the Department of the Interior in the development of plans for the integration of the Tennessee Valley Authority power system into national emergency programs and prepare plans for the emergency management, operation, and maintenance of the system and for its essential expansion.

(2) *Waterways.* Assist the Interstate Commerce Commission, under the coordinating authority of the Secretary of Transportation, in the development of plans for integration and control of inland waterway transportation systems and, in cooperation with the Department of Defense and the Department of the Interior, prepare plans for the management, operation, and maintenance of the river control system in the Tennessee River and certain of its tributaries for navigation during an emergency.

(3) *Flood control.* Develop plans and maintain its river control operations for the prevention or control of floods caused by natural phenomena or overt and covert attack affecting the Tennessee River System and, in so doing, collaborate with the Department of Defense with respect to the control of water in the lower Ohio and Mississippi Rivers.

(4) *Emergency health services and sanitary water supplies.* Assist the Department of Health, Education, and Welfare in the development of plans and programs covering emergency health services, civilian health manpower, and health resources in the Tennessee Valley Authority area and, in collaboration with the Department of the Interior and the Department of Health, Education, and Welfare, prepare plans for the management, operation, and maintenance of the Tennessee River System consistent with the needs for sanitary public water supplies, waste disposal, and vector control.

(5) *Coordination of water use.* Develop plans for determining or proposing priorities for the use of water by the Tennessee Valley Authority in the event of conflicting claims arising from the functions listed above.

(6) *Fertilizer.* Assist the Department of Agriculture in the development of plans for the distribution and claimancy of fertilizer; assist the Department of Commerce and the Department of Defense in the development of Tennessee Valley Authority production quotas and any essential expansion of production facilities, and prepare plans for the management, operation, and maintenance of its facilities for the manufacture of nitrogen and phosphorous fertilizers.

(7) *Munitions production.* Perform chemical research in munitions as requested by the Department of Defense, maintain standby munitions production facilities, and develop plans for converting and utilizing fertilizer facilities as required in support of the Department of Defense's munitions program.

(8) *Land management.* Develop plans for the maintenance, management, and utilization of Tennessee Valley Authority-controlled lands in the interest of an emergency economy.

(9) *Food and forestry.* Assist the Department of Agriculture in the development of plans for the harvesting and processing of fish and game, and the Department of Commerce in the development of plans for the production and processing of forest products.

(10) *Coordination with Valley States.* Prepare plans and agreements with Tennessee Valley States, consistent with Federal programs, for appropriate integration of Tennessee Valley Authority and State plans for the use of available Tennessee Valley Authority resources.

Part 28—United States Civil Service Commission

SECTION 2801 *Functions.* The United States Civil Service Commission shall:

(1) *Personnel system.* Prepare plans for adjusting the Federal civilian personnel system to simplify administration and to meet emergency demands.

(2) *Utilization.* Develop policies and implementing procedures designed to assist Federal agencies in achieving the most effective utilization of the Federal Government's civilian manpower in an emergency.

(3) *Manpower policies.* As the representative of the Federal Government as an employer, participate, as appropriate, in the formulation of national and regional manpower policies as they affect Federal civilian personnel and establish implementing policies as necessary.

(4) *Manpower administration.* Prepare plans, in consonance with national manpower policies and programs, for the administration of emergency civilian manpower and employment policies within the executive branch of the Government, including the issuance and enforcement of regulations to implement such policies.

(5) *Wage and salary stabilization.* Participate, as appropriate, with the Office of Emergency Preparedness and the Department of Labor in the formulation of national and regional wage and salary stabilization policies as they affect Federal civilian personnel. Within the framework of such policies, prepare plans for the implementation of such policies and controls established for employees within the executive branch of the Government, including the issuance and enforcement of necessary regulations.

(6) *Assistance.* Develop plans for rendering personnel management and staffing assistance to new and expanding Federal agencies.

(7) *Recruiting.* Develop plans for the coordination and control of civilian recruiting policies and practices by all Federal agencies in order to increase the effectiveness of the total recruitment efforts during an emergency and to prevent undesirable recruitment practices.

(8) *Reassignment.* Develop plans to facilitate the reassignment or transfer of Federal civilian employees, including the movement of employees from one agency or location to another agency or location, in order to meet the most urgent needs of the executive branch during an emergency.

(9) *Registration.* Develop plans and procedures for a nationwide system of post-attack registration of Federal employees to provide a means for locating and returning to duty those employees who become physically separated from their agencies after an enemy attack, and to provide for the maximum utilization of the skills of surviving employees.

(10) *Deferment.* Develop plans and procedures for a system to control Government requests for the selective service deferment of employees in the executive branch of the Federal Government and in the municipal government of the District of Columbia.

(11) *Investigation.* Prepare plans, in coordination with agencies having responsibilities in the personnel security field, for the conduct of national agency checks and inquiries, limited suitability investigations, and full field investigations under emergency conditions.

(12) *Salaries, wages, and benefits.* Develop plans for operating under emergency conditions the essential aspects of salary and wage systems and such benefit systems as the Federal Employees Retirement System, the Federal Employees Group Life Insurance Program, the Federal Employees and Retired Federal Employees Health Benefits Programs, and the Federal Employees Compensation Program.

(13) *Federal manpower mobilization.* Assist Federal agencies in establishing manpower plans to meet their own emergency manpower requirements; identify major or special manpower problems of in-

dividual Federal agencies and the Federal Government as a whole in mobilizing a civilian work force to meet essential emergency requirements; identify sources of emergency manpower supply for all agencies where manpower problems are indicated; and develop Government-wide plans for the use of surplus Federal civilian manpower.

(14) *Distribution of manpower.* Participate in the formulation of policies and decisions on the distribution of the nation's civilian manpower resources, obtain appropriate civilian manpower data from Federal agencies, and establish necessary implementing policies and procedures within the Executive Branch.

(15) *Training.* Develop, organize, and conduct, as appropriate, interagency training programs in emergency personnel management for Federal employees.

Part 29—Veterans Administration

SECTION 2901 *Functions.* The Administrator of Veterans Affairs shall develop policies, plans, and procedures for the performance of emergency functions with respect to the continuation or restoration of authorized programs of the Veterans Administration under all conditions of national emergency, including attack upon the United States. These include:

(1) The emergency conduct of inpatient and outpatient care and treatment in Veterans Administration medical facilities and participation with the Departments of Defense and Health, Education, and Welfare as provided for in interagency agreements.

(2) The emergency conduct of compensation, pension, rehabilitation, education, and insurance payments consistent with over-all Federal plans for the continuation of Federal benefit payments.

(3) The emergency performance of insurance and loan guaranty functions in accordance with indirect stabilization policies and controls designed to deal with various emergency conditions.

Part 30—General Provisions

SECTION 3001 *Resource Management.* In consonance with the national preparedness, security, and mobilization readiness plans, programs, and operations of the Office of Emergency Preparedness under Executive Order No. 11051 of September 27, 1962, and subject to the provisions of the preceding parts, the head of each department and agency shall:

(1) *Priorities and allocations.* Develop systems for the emergency application of priorities and allocations to the production, distribution, and use of resources for which he has been assigned responsibility.

(2) *Requirements.* Assemble, develop as appropriate, and evaluate requirements for assigned resources, taking into account estimated needs for military, atomic energy, civilian, and foreign purposes. Such evaluation shall take into consideration geographical distribution of requirements under emergency conditions.

(3) *Evaluation.* Assess assigned resources in order to estimate availability from all sources under an emergency situation, analyze resource availabilities in relation to estimated requirements, and develop appropriate recommendations and programs, including those necessary for the maintenance of an adequate mobilization base. Provide data and assistance before and after attack for national resource analysis purposes of the Office of Emergency Preparedness.

(4) *Claimancy.* Prepare plans to claim from the appropriate agency supporting materials, manpower, equipment, supplies, and services which would be needed to carry out assigned responsibilities and other essential functions of his department or agency, and cooperate with other agencies in developing programs to insure availability of such resources in an emergency.

SEC. 3002 *Facilities protection and warfare effects monitoring and reporting.* In consonance with the national preparedness, security, and mobilization readiness plans, programs, and operations of the

Office of Emergency Preparedness under Executive Order No. 11051, and with the national civil defense plans, programs, and operations of the Department of Defense under Executive Order No. 10952, the head of each department and agency shall:

(1) *Facilities protection.* Provide facilities protection guidance material adapted to the needs of the facilities and services concerned and promote a national program to stimulate disaster preparedness and control in order to minimize the effects of overt or covert attack on facilities or other resources for which he has management responsibility. Guidance shall include, but not be limited to, organization and training of facility employees, personnel shelter, evacuation plans, records protection, continuity of management, emergency repair, dispersal of facilities, and mutual aid associations for an emergency.

(2) *Warfare effects monitoring and reporting.* Maintain a capability, both at national and field levels, to estimate the effects of attack on assigned resources and to collaborate with and provide data to the Office of Emergency Preparedness, the Department of Defense, and other agencies, as appropriate, in verifying and updating estimates of resource status through exchanges of data and mutual assistance, and provide for the detection, identification, monitoring and reporting of such warfare effects at selected facilities under his operation or control.

(3) *Salvage and rehabilitation.* Develop plans for salvage, decontamination, and rehabilitation of facilities involving resources under his jurisdiction.

(4) *Shelter.* In conformity with national shelter policy, where authorized to engage in building construction, plan, design, and construct such buildings to protect the public to the maximum extent feasible against the hazards that could result from an attack upon the United States with nuclear weapons; and where empowered to extend Federal financial assistance, encourage recipients of such financial assistance to use standards for planning design and construction which will maximize protection for the public.

SEC. 3003 *Critical skills and occupations.* (a) The Secretaries of Defense, Commerce, and Labor shall carry out the mandate of the National Security Council, dated February 15, 1968, to "maintain a continuing surveillance over the Nation's manpower needs and identify any particular occupation or skill that may warrant qualifying for deferment on a uniform national basis." In addition, the Secretaries of Defense, Commerce, Labor, and Health, Education, and Welfare shall carry out the mandate of the National Security Council to "maintain a continuing surveillance over the Nation's manpower and education needs to identify any area of graduate study that may warrant qualifying for deferment in the national interest." In carrying out these functions, the Secretaries concerned shall consult with the National Science Foundation with respect to scientific manpower requirements.

(b) The Secretaries of Commerce and Labor shall maintain and issue, as necessary, lists of all essential activities and critical occupations that may be required for emergency preparedness purposes.

SEC. 3004 *Research.* Within the framework of research policies and objectives established by the Office of Emergency Preparedness, the head of each department and agency shall supervise or conduct research in areas directly concerned with carrying out emergency preparedness responsibilities, designate representatives for necessary ad hoc or task force groups, and provide advice and assistance to other agencies in planning for research in areas involving each agency's interest.

SEC. 3005 *Stockpiles.* The head of each department and agency, with appropriate emergency responsibilities, shall assist the Office of Emergency Preparedness in formulating and carrying out plans for stockpiling of strategic and critical materials, and survival items.

SEC. 3006 *Direct Economic Controls.* The head of each department and agency shall cooperate with the Office of Emergency Preparedness and the Federal financial agencies in the development of emergency preparedness measures involving emergency financial and credit measures, as well as price, rent, wage and salary stabilization, and consumer rationing programs.

SEC. 3007 *Financial Aid.* The head of each department and agency shall develop plans and procedures in cooperation with the Federal financial agencies for financial and credit assistance to those segments of the private sector for which he is responsible in the event such assistance is needed under emergency conditions.

SEC. 3008 *Functional Guidance.* The head of each department and agency in carrying out the functions assigned to him by this order, shall be guided by the following:

(1) *National program guidance.* In consonance with the national preparedness, security, and mobilization readiness plans, programs, and operations of the Office of Emergency Preparedness under Executive Order No. 11051, and with the national civil defense plans, programs, and operations of the Department of Defense, technical guidance shall be provided to State and local governments and instrumentalities thereof, to the end that all planning concerned with functions assigned herein will be effectively coordinated. Relations with the appropriate segment of the private sector shall be maintained to foster mutual understanding of Federal emergency plans.

(2) *Interagency coordination.* Emergency preparedness functions shall be coordinated by the head of the department or agency having primary responsibility with all other departments and agencies having supporting functions related thereto.

(3) *Emergency preparedness.* Emergency plans, programs, and an appropriate state of readiness, including organizational readiness, shall be developed as an integral part of the continuing activities of each department or agency on the basis that that department or agency will have the responsibility for carrying out such plans and programs during an emergency. The head of each department or agency shall be prepared to implement all appropriate plans developed under this order. Modifications and temporary organizational changes, based on emergency conditions, shall be in accordance with policy determinations by the President.

(4) *Professional liaison.* Mutual understanding and support of emergency preparedness activities shall be fostered, and the National Defense Executive Reserve shall be promoted by maintaining relations with the appropriate non-governmental sectors.

SEC. 3009 *Training.* The head of each department and agency shall develop and direct training programs which incorporate emergency preparedness and civil defense training and information programs necessary to insure the optimum operational effectiveness of assigned resources, systems, and facilities.

SEC. 3010 *Emergency Public Information.* In consonance with such emergency public information plans and central program decisions of the Office of Emergency Preparedness, and with plans, programs, and procedures established by the Department of Defense to provide continuity of programming for the Emergency Broadcast System, the head of each department and agency shall:

(1) Obtain and provide information as to the emergency functions or assignments of the individual department or agency for dissemination to the American people during the emergency, in accordance with arrangements made by the Office of Emergency Preparedness.

(2) Determine requirements and arrange for prerecordings to provide continuity of program service over the Emergency Broadcast System so that the American people can receive information, advice, and guidance pertaining to the implementation of the civil defense and emergency preparedness plans or assignments of each individual department or agency.

THE PRESIDENT

SEC. 3011 *Emergency Actions.* This order does not confer authority to put into effect any emergency plan, procedure, policy, program, or course of action prepared or developed pursuant to this order. Plans so developed may be effectuated only in the event that authority for such effectuation is provided by a law enacted by the Congress or by an order or directive issued by the President pursuant to statutes or the Constitution of the United States.

SEC. 3012 *Redelegation.* The head of each department and agency is hereby authorized to redelegate the functions assigned to him by this order, and to authorize successive redelegations to agencies or instrumentalities of the United States, and to officers and employees of the United States.

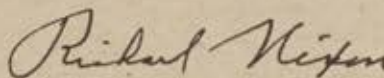
SEC. 3013 *Transfer of Functions.* Any emergency preparedness function under this order, or parts thereof, may be transferred from one department or agency to another with the consent of the heads of the organizations involved and with the concurrence of the Director of the Office of Emergency Preparedness. Any new emergency preparedness function may be assigned to the head of a department or agency by the Director of the Office of Emergency Preparedness by mutual consent.

SEC. 3014 *Retention of Existing Authority.* Except as provided in Section 3015, nothing in this order shall be deemed to derogate from any now existing assignment of functions to any department or agency or officer thereof made by statute, Executive order, or Presidential directives, including Memoranda.

SEC. 3015 *Revoked Orders.* The following are hereby revoked:

- (1) Defense Mobilization Order VI-2 of December 11, 1953.
- (2) Defense Mobilization Order I-12 of October 5, 1954.
- (3) Executive Order No. 10312 of December 10, 1951.
- (4) Executive Order No. 10346 of April 17, 1952.
- (5) Executive Order No. 10997 of February 16, 1962.
- (6) Executive Order No. 10998 of February 16, 1962.
- (7) Executive Order No. 10999 of February 16, 1962.
- (8) Executive Order No. 11000 of February 16, 1962.
- (9) Executive Order No. 11001 of February 16, 1962.
- (10) Executive Order No. 11002 of February 16, 1962.
- (11) Executive Order No. 11003 of February 16, 1962.
- (12) Executive Order No. 11004 of February 16, 1962.
- (13) Executive Order No. 11005 of February 16, 1962.
- (14) Executive Order No. 11087 of February 26, 1963.
- (15) Executive Order No. 11088 of February 26, 1963.
- (16) Executive Order No. 11089 of February 26, 1963.
- (17) Executive Order No. 11090 of February 26, 1963.
- (18) Executive Order No. 11091 of February 26, 1963.
- (19) Executive Order No. 11092 of February 26, 1963.
- (20) Executive Order No. 11093 of February 26, 1963.
- (21) Executive Order No. 11094 of February 26, 1963.
- (22) Executive Order No. 11095 of February 26, 1963.
- (23) Executive Order No. 11310 of October 11, 1966.

THE WHITE HOUSE,
October 28, 1969.



[F.R. Doc. 69-13005; Filed, Oct. 28, 1969; 2:19 p.m.]

